

> returning will we do everything in our power IF it is possible to
> adjust the schedule so that she covers some time when you are both
> next on surgicals so that you can complete your training for the
> rotation you are currently on.
>
> Lastly, I would ask that we try and keep this as quiet as possible for
> now. Like I mentioned before, we do not know when Sarah is returning.
> It is within the realm of possibilities, although unlikely, that she
> would return on Monday. If she does we will, of course, notify you
> immediately. Until we know more about the situation, it is best if
> this information stays between the few people addressed in this
> e-mail. I would hate for rumors to circulate about the potential
> absence of Sarah for the remainder of the month if it turns out not to
> be the case.
>
> Again, I am terribly sorry to have to ask this of you, but we all must
> work together to get through the current situation. Please let me
> know if this plan requires any adjustment that I am unaware of.
> Adrienne Jordan, M.D.
> Pathology Resident, PGY3
> The Mount Sinai Medical Center
> Department of Pathology- Box 1194
> One Gustave L. Levy Place
> New York, NY 10029
> Cell: 330-327-7339
>

Exhibit 218

8/9/2011

12:45 PM

Firpo, Adolfo

From: Birge, Miriam <Miriam.Birge@mountsinai.org>
Sent: Tuesday, August 09, 2011 12:45 PM
To: Firpo, Adolfo
Subject: RE: Dermatopathology rotation request

Dear Adolfo,

Thank you so much for the request; we are thrilled that residents want to rotate with us. Please tell Dr. Varughese that we will welcome her and do all we can to make her experience in Dermpath a positive one.

On another note, I am in the process of constructing standard evaluations to be used by our fellow of our faculty, and by our faculty of our fellow. Do you know if a template exists for such an evaluation?

Sincerely,

Miriam Birge

-----Original Message-----

From: Firpo, Adolfo [mailto:adolfo.firpo@mssm.edu]
Sent: Thursday, August 04, 2011 7:25 AM
To: Birge, Miriam
Subject: Dermatopathology rotation request
Importance: High

Dear Dr. Birge:

Dr. Leena Verughese, one of our 4th year residents has requested the opportunity to rotate through dermatopathology from Sept 26 - October 31, 2011. This represents a change in her already scheduled rotations but it should have minor impact on the overall program. I agreed to explore the feasibility of your service to accommodate Dr. Varughese during this period.

With appreciation,

Adolfo Firpo

Adolfo Firpo, M.D.,M.P.A.,FCAP
Professor and Director
Pathology Educational Activities
Department of Pathology,
The Mount Sinai School of Medicine.
The Mount Sinai Hospital
Phone: 212-659-8214
Fax: 212-348-7556
E-mail: adolfo.firpo@mssm.edu

Office Address:
Icahn Medical Institute 8th Floor, Office 8-40, Box-1612

Exhibit 219

Firpo, Adolfo

From: Lento, Patrick <Patrick.Lento@mountsinai.org>
Sent: Thursday, September 01, 2011 9:46 AM
To: Harpaz, Noam (MSH)
Cc: Firpo, Adolfo; Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne (MSH)
Subject: RE: Dr. Varughese

Irrespective of whether that is true, she had requested GI and now wants to change it. The decision not to grant her new request was made after consideration of many factors so it is unfair, in my mind, for her to ask you to allow it after the fact.

Pat

---Original Message---

From: Harpaz, Noam
Sent: Thursday, September 01, 2011 9:41 AM
To: Lento, Patrick
Cc: Firpo, Adolfo (MSSM); Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Subject: RE: Dr. Varughese

Thanks for informing me, Pat. I'm under the impression that she rotated in GI 2 years ago, but it's irrelevant to the matter at hand.

---Original Message---

From: Lento, Patrick
Sent: Thursday, September 01, 2011 9:28 AM
To: Harpaz, Noam
Cc: Firpo, Adolfo (MSSM); Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Subject: RE: Dr. Varughese

Noam,

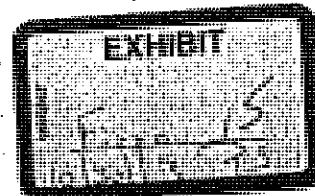
This had already been addressed and the request was denied.

Without going in to great detail, Leena had made a request for GI when the schedule was being made before the start of the year. She has not done GI in the past but has already done DP. In addition, the chiefs spoke with Bob Phelps about this and he was gracious enough to indicate that Leena was welcome to join the DP signout everyday from 6-8 am if she was interested.

Pat

---Original Message---

From: Harpaz, Noam
Sent: Thursday, September 01, 2011 9:01 AM
To: Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Cc: Firpo, Adolfo (MSSM); Lento, Patrick
Subject: Dr. Varughese



-----Original Message-----

From: Lento, Patrick [mailto:Patrick.Lento@mountsinai.org]
Sent: Thursday, September 01, 2011 9:46 AM
To: Harpaz, Noam (MSH)
Cc: Firpo, Adolfo; Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne (MSH)
Subject: RE: Dr. Varughese

Irrespective of whether that is true, she had requested GI and now wants to change it. The decision not to grant her new request was made after consideration of many factors so it is unfair, in my mind, for her to ask you to allow it after the fact.

Pat

-----Original Message-----

From: Harpaz, Noam
Sent: Thursday, September 01, 2011 9:41 AM
To: Lento, Patrick
Cc: Firpo, Adolfo (MSSM); Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Subject: RE: Dr. Varughese

Thanks for informing me, Pat. I'm under the impression that she rotated in GI 2 years ago, but it's irrelevant to the matter at hand.

-----Original Message-----

From: Lento, Patrick
Sent: Thursday, September 01, 2011 9:28 AM
To: Harpaz, Noam
Cc: Firpo, Adolfo (MSSM); Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Subject: RE: Dr. Varughese

Noam,

This had already been addressed and the request was denied. .

Without going in to great detail, Leena had made a request for GI when the schedule was being made before the start of the year. She has not done GI in the past but has already done DP. In addition, the chiefs spoke with Bob Phelps about this and he was gracious enough to indicate that Leena was welcome to join the DP signout everyday from 6-8 am if she was interested.

Pat

-----Original Message-----

From: Harpaz, Noam
Sent: Thursday, September 01, 2011 9:01 AM
To: Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Cc: Firpo, Adolfo (MSSM); Lento, Patrick
Subject: Dr. Varughese

Dear Chiefs - Dr. Varughese has requested my permission to drop out of her upcoming assigned rotation in GI Pathology (starting Sept 26) to allow her to rotate in DermPath instead. I responded in no uncertain terms that this change would require authorization from the Chief Residents AND another housestaff assigned to take her place. To avoid any

misunderstanding, I will assume until hearing otherwise that she will be rotating in GI as scheduled.

Noam Harpaz, M.D., Ph.D.
Professor of Pathology and Medicine (Gastroenterology) Mount Sinai School of Medicine
Director, Division of Gastrointestinal Pathology The Mount Sinai Medical Center Annenberg
Building 15-38 One Gustave L. Levy Place New York, NY 10029
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From: leena.varughese [leena.varughese@mssm.edu]
Sent: Wednesday, May 18, 2011 10:23 AM
To: Lento, Patrick; Morency, Elizabeth (MSSM-Imail); Jordan, Adrienne
Subject: Schedule

Follow Up Flag: Follow up
Flag Status: Flagged

Hi.

The program description that was recently updated notes that the "clinical pathology component" is 4 months of clinical chem, microbiology, and hematology; and 3 months of blood banking and 1 month of lab management. In addition, there is space for 1-2 months of elective. This is the layout for the structured training in clinical pathology at this residency. As of the end of this year, the clinical pathology rotation breakdown for me is as follows: 3 months of microbiology (2 at the va and 1 at msh); 1 month of molecular pathology (1 elective); 0.5 month of tumor cytogenetics (hematopath or .5 elective); 1.5 month clinical chemistry; 1 month blood bank; 0.5 month flow cytometry (hematopath or 0.5 elective); 1 month of hematopathology (AP or CP). This is a total of 8.5 months of cp training. I still require 9.5 months of structured cp training, which should technically meet the program description: 3 months of hematology (or 2 months of hematology and 1 month of hematopathology); 1 month of micro at MSH; 1.5 months of clinical chemistry; 2 months of blood banking; 2 weeks of lab management. This will leave me with 2.5 months for AP of which has to be 1 month at the ME, then the other 1.5 months can be split evenly between GI elective and the new biopsy rotation. Please make the changes required to the schedule to meet the requirements for appropriate clinical pathology rotations and structured training. Thank you.

Leena Varughese

Exhibit 220

----- Forwarded message -----

From: "Jordan, Adrienne" <adrienne.jordan@mountsinai.org>
To: "Chow, Jonathan (MSSM-Imail)" <jonathan.chow@mssm.edu>, "Morency, Elizabeth (MSSM-Imail)" <elizabeth.morency@mssm.edu>, "Azar, Paul (MSSM-Imail)" <paul.azar@mssm.edu>, "Martinez, Alicia (MSSM-Imail)" <alicia.martinez@mssm.edu>, "Roman, Taisha (MSSM-Imail)" <Taisha.Roman@mssm.edu>, "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>, "Hechtman, Jaclyn" <jaclyn.hechtman@mountsinai.org>
Date: Wed, 07 Sep 2011 17:08:08 -0400
Subject: Osler

Many people have been asking about the Osler course. We met with Ms. Patel today to discuss the financial aspect of it. Here is the deal:

The first osler course is October 2-8 in Tampa, FL. Other dates and locations will be released soon. If you would like to attend the Tampa course you must let Liz and I know by the END OF THIS WEEK. If you would like to wait and see when the other dates and locations are, you must also let us know that. Once you say you want to attend the Tampa course you can not change your mind when the other locations are released. If the Tampa course fills while you are waiting, you are out of luck. If you are on a service rotation for the Tampa course, you can still go but you must find coverage (Leena I believe this only applies to you since you are on GI).

Now the issue of payment. As you are aware, in the past the department reimburses you after you return from a conference. Due to the expense of Osler the department has agreed to pay for SOME of the cost before hand. The department will pay for the registration, syllabus, slide lab, and microscope rental for you. WE will register you for Osler in order to pay for this in advance. We will also set up a way to monitor your attendance at the review. Should you fail to attend the lectures, you would be required to reimburse the department for the cost of your trip and registration fees. The department will also pre-pay for your flight but you MUST use the Axiom website to book your flight (refer to the emails we got last year about how to use this website. If you are unsure, ask me and I will forward you the details. Its really very easy). The ONLY thing you need to pay out of pocket for and wait to be reimbursed is meals and the hotel. With respect to the hotel, you must use the hotel

associated with the review course and you MUST room with one other person. Please let Liz and I know who you will be rooming with. When you return from your trip you simply turn in your receipts and credit card statements as usual and you will be reimbursed.

As this is a new benefit to our residents I am sure I have left things off or not addressed all of your concerns so please let me know ASAP if there are any other details we should address. Lets also be grateful to Dr. Firpo, Dr. Lento, and Ms. Patel who worked so hard to secure this educational experience for us and lighten the financial burden.

Adrienne Jordan, M.D.

The Mount Sinai Hospital

Department of Pathology - Box 1194

One Gustave L. Levy Place

New York, NY 10029

Pager (917) 401-5341

Cell (330) 327-7339

----- Forwarded message -----

From: "Jordan, Adrienne" <adrienne.jordan@mountsinai.org>
To: "Jordan, Adrienne" <adrienne.jordan@mountsinai.org>, "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>, "Morency, Elizabeth (MSSM-Imail)" <elizabeth.morency@mssm.edu>, "Hechtman, Jaclyn" <jaclyn.hechtman@mountsinai.org>, "Chow, Jonathan (MSSM-Imail)" <jonathan.chow@mssm.edu>, "Martinez, Alicia (MSSM-Imail)" <alicia.martinez@mssm.edu>, "Roman, Taisha (MSSM-Imail)" <Taisha.Roman@mssm.edu>, "Azar, Paul (MSSM-Imail)" <paul.azar@mssm.edu>
Date: Tue, 13 Sep 2011 17:09:07 -0400

Subject: RE: Osler

One more thing, when you make the hotel reservations, again remember that you HAVE to stay at the hotel associated with the course (which for Tampa is the Wyndam Hotel) and when you make the reservations, tell them you are with the Osler course because there is a discounted rate.

Adrienne Jordan, M.D.

The Mount Sinai Hospital

Department of Pathology - Box 1194

One Gustave L. Levy Place

New York, NY 10029

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Cell (330) 327-7339

-----Original Message-----

From: Jordan, Adrienne

Sent: Tuesday, September 13, 2011 5:06 PM

To: Varughese, Leena (MSSM-Imail); Morency, Elizabeth (MSSM-Imail); Hechtman, Jaclyn; Chow, Jonathan (MSSM-Imail); Martinez, Alicia (MSSM-Imail); Roman, Taisha (MSSM-Imail); Azar, Paul (MSSM-Imail)

Cc: Firpo, Adolfo (MSSM); Lento, Patrick

Subject: Osler

Hey guys,

Few things about Osler. I need to know if you want the Glass Slide Lab. You can go to the lab the Saturday before the conference starts or stay for the Sunday after the conference starts. According to the people who went to Osler previously, the slide lab may not be entirely beneficial because you are in lecture until 9pm and then don't really have the energy to review more slides. But of course, Elizabeth and I built the cost of the lab into the budget so if you want it, you can have it. But if you don't think it will be helpful, lets not waste the money. If you plan on doing the slide lab, I also need to know if you need a microscope rental or if you plan on bringing your own (yes, that is partially my attempt at a joke, sorry guys, bad joke). So below is the list of residents I have going to Tampa. Please update the missing information ASAP so we can get you guys registered.

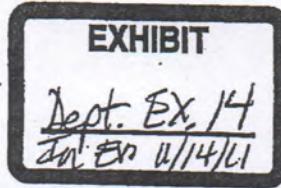
Going to Tampa:

1. Leena Varughese- Arrangements made separately
2. Jonathan Chow- Slide Lab (Saturday); Microscope Rental Needed
3. Taisha Roman
4. Jackie Hechtman
5. Elizabeth Morency- Slide Lab (Saturday); Microscope Rental Needed
6. Paul Azar
7. Alicia Martinez

Adrienne Jordan, M.D.
The Mount Sinai Hospital
Department of Pathology - Box 1194
One Gustave L. Levy Place
New York, NY 10029

Pager (917) 401-5341
Cell (330) 327-7339

Exhibit 221



From: "Firpo, Adolfo" <adolfo.firpo@exchange.mssm.edu>

Date: Wed, 7 Sep 2011 15:21:43 -0400

To: "Barnett, Scott" <scott.barnett@exchange.mssm.edu>, "Johnson, Paul F (GME) (MSSM-Imail)" <paul.f.johnson@mssm.edu>

Cc: "Cordon-cardo, Carlos" <carlos.cordon-cardo@exchange.mssm.edu>, "Patel, Shema" <shema.patel@exchange.mssm.edu>

Subject: RE: Meeting - Dr. Leena Varughese - New developments today

Scott and Paul:

She showed up here in my office initially friendly but claiming that she was once more she was being treated unfairly. Eventually the denial of her request to drop off the GI elective surfaced. She explained that Dr. Harpaz had told her that she could drop off the rotation if she found a replacement because he had no one else to gross GI since his fellows were away that week. She said that she intended to contact all the other residents directly to see if someone else was willing to take her place in the GI elective. I told her that doing that would be inappropriate since her request had already been denied by everyone. She said that it was her right to seek a change in her schedule as she had made it known a long time ago that she wanted out of the elective GI rotation. She claims that she had requested to drop this elective at a resident's meeting and Dr. Mabel Ko had taken her place in it, she said that she was originally scheduled to do the elective in September and not in October and claims that she was placed on the rotation in October not knowing it; she said she brought this to the attention of one of the chief residents when the official schedule came out and had insisted on being taken off the rotation but was denied that option. She assumed that I would make it happen despite the fact that she was not following the policy of making her formal request to the chief residents. She was cc'd the e-mail in which I asked the chief residents to consider her request objectively and fairly. She acknowledges having received it but insists that I had committed to make it happen for her since I had mentioned that it may be possible when we first talked about it as a possibility. I reminded her that at all times I made her fully aware that there was a process to follow and that I would only intervene on her behalf; the final decision would depend on the feasibility of altering the schedule, finding a replacement, having the agreements of both attendings. At no time did I guarantee that the change would be made, much less by my decision alone.

During quite a heated discussion I happened to glance at Scott's e-mail and told her that I would look into it over the next two days and would get back to her. She finally left my office but still insisting that denial of her right to substitute a rotation for another was unfair and discriminatory of her as a resident whose training was being paid by the Federal government. I assured her that my intentions were to be objective and fair towards everyone, but made it clear that I would not make a unilateral decision in favor of her or anyone else, nor violate established policies and not consider the potential impact on the rest of the program and all involved.

Thanks for your support and guidance,

Adolfo

Adolfo Firpo, M.D.,M.P.A.,FCAP
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New York, New York 10029-6574

Mailing address:

One Gustave L. Levy Place, Box 1619
ATTN: Dr. Firpo
New York, New York 10029-6574

From: Barnett, Scott
Sent: Wednesday, September 07, 2011 2:17 PM
To: Firpo, Adolfo; Johnson, Paul F (GME) (MSSM-Imail); Barnett, Scott
Subject: Re: Meeting - Dr. Leena Varughese - Any ideas to reply to her?
Importance: High

I suggest telling her you need a day or two to think this over and we will discuss tomorrow
Scott

Scott H. Barnett, M.D.
Associate Professor of Medical Education and Pediatrics
Associate Dean for GME
President, Faculty Council
Mount Sinai School of Medicine
(P) 212-241-6694
(f) 212-426-7748

From: "Firpo, Adolfo" <adolfo.firpo@exchange.mssm.edu>
Date: Wed, 7 Sep 2011 14:09:25 -0400
To: "Johnson, Paul F (GME) (MSSM-Imail)" <paul.f.johnson@mssm.edu>, "Barnett, Scott" <scott.barnett@exchange.mssm.edu>
Subject: FW: RE: Meeting - Dr. Leena Varughese - Any ideas to reply to her?

Paul and Scott:

I had to officially notify her that her request to drop the elective in GI had been denied. I never told her that it would be fine to do so. I mentioned to her that requests for changes to the schedule were processed by the chief residents and that the attending had to agree to the change. Dr. Harpaz did not agree to allow her to drop off the rotation and actually reminded her that this had to be processed by the Chief residents when she approached him directly despite our discussion and recommendations on how to approach this issue.

Should I wait until tomorrow to respond to her?

Adolfo

Adolfo Firpo, M.D.,M.P.A.,FCAP
Professor and Director
Pathology Educational Activities
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1425 Madison Avenue and E98th Street
New York, New York 10029-6574

Mailing address:

One Gustave L. Levy Place, Box 1619
ATTN: Dr. Firpo
New York, New York 10029-6574

From: leena varughese [mailto:leena.varughese@mssm.edu]
Sent: Wednesday, September 07, 2011 1:46 PM
To: Firpo, Adolfo
Subject: Re: RE: Meeting - Dr. Leena Varughese
Importance: High

Dr. Firpo,

I attempted to call you several times and only to be connected to say hello and then for the call to be dropped promptly afterwards.

I will discuss with Dr. Petersen any of the specifics regarding the HP rotation. Do you mind emailing me a copy of the objectives for the Hemopath rotation?

Three, I don't understand why Dr. Harpaz wants to deny me from switching from GI to Dermpath. If the concern is finding a resident to gross for the month as Dr. Harpaz had mentioned to me when I discussed this issue with him earlier last month, then it would be possible to look at the schedule and perhaps transfer another resident on CP rotation to that slot.

At this point in the training, I really need more exposure to Dermpath and I want Dermpath as my elective. This is most certainly not an unreasonable request by any means. In fact, many of the residents are granted away rotation/electives already and even while they were supposed to be on duty at the hospital. I find all of this to be rather egregiously unfair towards me and partiality or favoritism towards some individuals. This is very unacceptable as this is affecting my training in pathology at this hospital. In fact, I would like to point out the lack of rotation assigment to Hematology over the past 4 years,

excess number of Microbiology at the VA and additionaly months at Englewood despite my lack of interest in this rotation. The implication that this is simply all acceptable because Dr.Lento finds this to alright does not translate immediately to adequate or sufficient training or comparable training to other residents in my cohort, and those who graduated las t year or those immediately junior to my year.

Finally, I have made plans to attend the Osler in Tampa, Fl next month and have made all the necessary arrangements. I will be submitting the forms for reimbursement and will be away for the first week of October. You also said that it should not be a problem for me to switch my elective. I appreciate your time and look forward to coming to an amicable resolution.

Regards,

Dr. Varughese

----- Original Message -----

From: "Firpo, Adolfo" <adolfo.firpo@mssm.edu>
Date: Wednesday, September 7, 2011 12:07 pm
Subject: RE: Meeting - Dr. Leena Varughese
To: "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>

> Dr. Varughese:

>

> 1. Thank you for your e-mail. I don't understand what the
> problem was with the phone and why the communication was lost each
> of the two times you called this morning. It is fine to meet next
> week, Wednesday 14 September at 9:00AM in my office.

>

> 2. I understand this week you started a new rotation in
> Hematopathology.* Have you met with your supervisor yet?

> * Were you made aware of the goals and objectives of this
> rotation?* Were you given a detailed schedule describing
> your daily responsibilities and work hours?

> * Are there any special tasks that will be assigned to you
> as a 4th year resident?

> * Were all your questions answered and any concerns you
> might have had properly addressed?

>

> 3. I must also inform you that your request for dropping off
> the elective GI rotation with Dr. Harpaz was denied. You will
> report to begin that rotation as scheduled.

>

> Sincerely,

>

> Dr. Firpo

>

> Adolfo Firpo, M.D.,M.P.A.,FCAP

> Professor and Director

> Pathology Educational Activities

> Department of Pathology,

> The Mount Sinai School of Medicine.

> The Mount Sinai Hospital

> Phone: 212-659-8214
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> E-mail: adolfo.firpo@mssm.edu<<mailto:adolfo.firpo@mssm.edu>>
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> New York, New York 10029-6574
>
> Mailing address:
> One Gustave L. Levy Place, Box 1619
> ATTN: Dr. Firpo
> New York, New York 10029-6574
>
>
>
>
> -----Original Message-----
> From: leena varughese [<mailto:leena.varughese@mssm.edu>]
> Sent: Wednesday, September 07, 2011 11:46 AM
> To: Firpo, Adolfo
> Subject: Meeting
>
> Dr. Firpo,
>
> I am emailing to apologize for not being able to meet with you
> this morning at 9am. I attempted to call you and have a
> conversation over the telephone several times this morning but the
> call was dropped every single time. Anyway, I was wondering if we
> could reschedule for another time this week or the next. I usually
> sign out around 2 pm and go to the GI conferences around 4 pm.
> Thank you.
>
> Dr. Varughese
>
>

From: Paul Johnson [paul.f.johnson@mssm.edu]
Sent: Wednesday, September 07, 2011 3:47 PM
To: Firpo, Adolfo
Cc: Barnett, Scott; Cordon-cardo, Carlos; Patel, Shema; Lowy, Marina (MSH); Tiger-Paillex, Caryn
Subject: Re: Meeting - Dr. Leena Varughese - New developments today

I should check with Scott before replying! I defer to him...we shall discuss more tomorrow. Thanks, Paul

On Sep 7, 2011, at 3:39 PM, Paul Johnson wrote:

Her refusal to accept the program's decision fits into her pattern of unprofessional and insubordinate behavior. You have already explained the valid reasons for denying her request. I would think that in the next conversation, you should tell her that the decision is final (reviewing with her how you arrived at the decision) and that she is expected to complete the rotation that was assigned to her.

On Sep 7, 2011, at 3:21 PM, Firpo, Adolfo wrote:

Scott and Paul:

She showed up here in my office initially friendly but claiming that she was once more she was being treated unfairly. Eventually the denial of her request to drop off the GI elective surfaced. She explained that Dr. Harpaz had told her that she could drop off the rotation if she found a replacement because he had no one else to gross GI since his fellows were away that week. She said that she intended to contact all the other residents directly to see if someone else was willing to take her place in the GI elective. I told her that doing that would be inappropriate since her request had already been denied by everyone. She said that it was her right to seek a change in her schedule as she had made it known a long time ago that she wanted out of the elective GI rotation. She claims that she had requested to drop this elective at a resident's meeting and Dr. Mabel Ko had taken her place in it, she said that she was originally scheduled to do the elective in September and not in October and claims that she was placed on the rotation in October not knowing it; she said she brought this to the attention of one of the chief residents when the official schedule came out and had insisted on being taken off the rotation but was denied that option. She assumed that I would make it happen despite the fact that she was not following the policy of making her formal request to the chief residents. She was cc'd the e-mail in which I asked the chief residents to consider her request objectively and fairly. She acknowledges having received it but insists that I had committed to make it happen for her since I had mentioned that it may be possible when we first talked about it as a possibility. I reminded her that at all times I made her fully aware that there was a process to follow and that I would only intervene on her behalf; the final decision would depend on the feasibility of altering the schedule, finding a replacement, having the agreements of both attendings. At no time did I guarantee that the change would be made, much less by my decision alone.

During quite a heated discussion I happened to glance at Scott's e-mail and told her that I would look into it over the next two days and would get back to her. She finally left my office but still insisting that denial of her right to substitute a rotation for another was unfair and discriminatory of her as a resident whose training was being paid by the Federal government. I assured her that my intentions were to be objective and fair towards everyone, but made it clear that I would not make a unilateral decision in favor of her or anyone else, nor violate established policies and not consider the potential impact on the rest of the program and all involved.

Thanks for your support and guidance,

ESI.PRIV.00107

Adolfo

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Professor and Director
Pathology Educational Activities
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The Mount Sinai School of Medicine.
The Mount Sinai Hospital
Phone: 212-659-8214
Fax: 212-348-7556
E-mail: adolfo.firpo@mssm.edu

Office Address:

Isahn Medical Institute 8th Floor, Office 8-40, Box-1612
1426 Madison Avenue and E98th Street
New York, New York 10029-6574

Mailing address:

One Gustave L. Levy Place, Box 1019
ATTN: Dr. Firpo
New York, New York 10029-6574

From: Barnett, Scott
Sent: Wednesday, September 07, 2011 2:17 PM
To: Firpo, Adolfo; Johnson, Paul F (GME) (MSSM-Imail); Barnett, Scott
Subject: Re: Meeting - Dr. Leena Varughese - Any Ideas to reply to her?
Importance: High

I suggest telling her you need a day or two to think this over and we will discuss tomorrow
Scott

Scott H. Barnett, M.D.
Associate Professor of Medical Education and Pediatrics
Associate Dean for CME
President, Faculty Council
Mount Sinai School of Medicine
(P) 212-241-6694
(f) 212-426-7748

From: "Firpo, Adolfo" <adolfo.firpo@exchange.mssm.edu>
Date: Wed, 7 Sep 2011 14:09:25 -0400
To: "Johnson, Paul F (GME) (MSSM-Imail)" <paul.f.johnson@mssm.edu>, "Barnett, Scott" <scott.barnett@exchange.mssm.edu>
Subject: FW: RE: Meeting - Dr. Leena Varughese - Any Ideas to reply to her?

Paul and Scott:

I had to officially notify her that her request to drop the elective in GI had been denied. I never told her that it would be fine to do so. I mentioned to her that requests for changes to the schedule were processed by the chief residents and that the attending had to agree to the change. Dr. Harpaz did not agree to allow her to drop off the rotation and actually reminded her that this had to be processed by the Chief residents when she approached him directly despite our discussion and recommendations on how to approach this issue.

Should I wait until tomorrow to respond to her?

Adolfo

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New York, New York 10029-6574

Mailing address:

One Gustave L. Levy Place, Box 1619
ATTN: Dr. Firpo
New York, New York 10029-6574

From: leena varughese [mailto:leena.varughese@mssm.edu]
Sent: Wednesday, September 07, 2011 1:46 PM
To: Firpo, Adolfo
Subject: Re: RE: Meeting - Dr. Leena Varughese
Importance: High

Dr. Firpo,

I attempted to call you several times and only to be connected to say hello and then for the call to be dropped promptly afterwards.

I will discuss with Dr. Petersen any of the specifics regarding the HP rotation. Do you mind emailing me a copy of the objectives for the Hemopath rotation?

Three, I don't understand why Dr. Harpaz wants to deny me from switching from GI to Dermpath. If the concern is finding a resident to gross for the month as Dr. Harpaz had mentioned to me when I discussed this issue with him earlier last month, then it would be possible to look at the schedule and perhaps transfer another resident on CP rotation to that slot.

At this point in the training, I really need more exposure to Dermpath and I want Dermpath as my elective. This is most certainly not an unreasonable request by any means. In fact, many of the residents are granted away rotation/electives already and even while they were supposed to be on duty at the hospital. I find all of this to be rather egregiously unfair towards me and partiality or favoritism towards some individuals. This is very unacceptable as this is affecting my training in pathology at this hospital. In fact, I would like to point out the lack of rotation assignment to Hematology over the past 4 years, excess number of Microbiology at the VA and additionaly months at Englewood despite my lack of interest in this rotation. The implication that this is

simply all acceptable because Dr.Lento finds this to alright does not translate immediately to adequate or sufficient training or comparable training to other residents in my cohort, and those who graduated last year or those immediately junior to my year.

Finally, I have made plans to attend the Osler in Tampa, Fl next month and have made all the necessary arrangements. I will be submitting the forms for reimbursement and will be away for the first week of October. You also said that it should not be a problem for me to switch my elective. I appreciate your time and look forward to coming to an amicable resolution.

Regards,

Dr. Varughese

----- Original Message -----

From: "Firpo, Adolfo" <adolfo.firpo@mssm.edu>
Date: Wednesday, September 7, 2011 12:07 pm
Subject: RE: Meeting - Dr. Leena Varughese
To: "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>

> Dr. Varughese:
>
> 1. Thank you for your e-mail. I don't understand what the
> problem was with the phone and why the communication was lost each
> of the two times you called this morning. It is fine to meet next
> week, Wednesday 14 September at 9:00AM in my office.
>
> 2. I understand this week you started a new rotation in
> Hematopathology.* Have you met with your supervisor yet?
> * Were you made aware of the goals and objectives of this
> rotation?* Were you given a detailed schedule describing
> your daily responsibilities and work hours?
> * Are there any special tasks that will be assigned to you
> as a 4th year resident?
> * Were all your questions answered and any concerns you
> might have had properly addressed?
>
> 3. I must also inform you that your request for dropping off
> the elective GI rotation with Dr. Harpaz was denied. You will
> report to begin that rotation as scheduled.
>
> Sincerely,
>
> Dr. Firpo
>
> Adolfo Firpo, M.D.,M.P.A.,FCAP
> Professor and Director
> Pathology Educational Activities
> Department of Pathology,
> The Mount Sinai School of Medicine.
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> Phone: 212-659-8214

> Fax: 212-348-7556
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>
> **Mailing address:**
> One Gustave L. Levy Place, Box 1619
> ATTN: Dr. Firpo
> New York, New York 10029-6574
>
>
>
>
> -----Original Message-----
> From: leena varughese [<mailto:leena.varughese@mssm.edu>]
> Sent: Wednesday, September 07, 2011 11:46 AM
> To: Firpo, Adolfo
> Subject: Meeting
>
> Dr. Firpo,
>
> I am emailing to apologize for not being able to meet with you
> this morning at 9am. I attempted to call you and have a
> conversation over the telephone several times this morning but the
> call was dropped every single time. Anyway, I was wondering if we
> could reschedule for another time this week or the next. I usually
> sign out around 2 pm and go to the GI conferences around 4 pm.
> Thank you.
>
> Dr. Varughese
>
>

From: Barnett, Scott
Sent: Wednesday, September 07, 2011 2:17 PM
To: Firpo, Adolfo; Johnson, Paul F (GME) (MSSM-Imail); Barnett, Scott
Subject: Re: Meeting - Dr. Leena Varughese - Any ideas to reply to her?

Importance: High

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Adolfo

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New York, New York 10029-6574

From: leena varughese [mailto:leena.varughese@mssm.edu]

Sent: Wednesday, September 07, 2011 1:46 PM

To: Firpo, Adolfo

Subject: Re: RE: Meeting - Dr. Leena Varughese

Importance: High

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Regards,

Dr. Varughese

----- Original Message -----

From: "Firpo, Adolfo" <adolfo.firpo@mssm.edu>

Date: Wednesday, September 7, 2011 12:07 pm

Subject: RE: Meeting - Dr. Leena Varughese

To: "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>

> Dr. Varughese:

>
> 1. Thank you for your e-mail. I don't understand what the
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> Hematopathology.* Have you met with your supervisor yet?
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> * Were all your questions answered and any concerns you
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> the elective GI rotation with Dr. Harpaz was denied. You will
> report to begin that rotation as scheduled.

>
> Sincerely,

>

> Dr. Firpo

>

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> New York, New York 10029-6574

>

>

>

>

> -----Original Message-----

> From: leena varughese [mailto:leena.varughese@mssm.edu]

> Sent: Wednesday, September 07, 2011 11:46 AM

> To: Firpo, Adolfo

> Subject: Meeting

>

> Dr. Firpo,

>

> I am emailing to apologize for not being able to meet with you
> this morning at 9am. I attempted to call you and have a
> conversation over the telephone several times this morning but the
> call was dropped every single time. Anyway, I was wondering if we
> could reschedule for another time this week or the next. I usually
> sign out around 2 pm and go to the GI conferences around 4 pm.

> Thank you.

>

> Dr. Varughese

>

>

Exhibit 222



Leena V <leena.bookworm@gmail.com>

Fwd: Re: RE: Elective GI rotation in September 2011

leena varughese <leena.varughese@mssm.edu>
 To: leena.bookworm@gmail.com

Wed, Sep 21, 2011 at 1:48 PM

----- Forwarded message -----

From: leena varughese <leena.varughese@mssm.edu>
 To: "Firpo, Adolfo" <adolfo.firpo@mssm.edu>
 Cc: 'mabel ko' <ok.lebam@gmail.com>, "Jordan, Adrienne (MSH)" <adrienne.jordan@mountsinai.org>, "Morency, Elizabeth (MSSM-Imail)" <elizabeth.morency@mssm.edu>, "Lento, Patrick (MSH)" <Patrick.Lento@mountsinai.org>, "Cordon-cardo, Carlos" <carlos.cordon-cardo@exchange.mssm.edu>, "Harpaz, Noam (MSH)" <Noam.Harpaz@mountsinai.org>
 Date: Wed, 07 Sep 2011 21:10:45 -0400
 Subject: Re: RE: Elective GI rotation in September 2011

I am sorry, this was a passing coversation at a residents meeting very many many months ago. It doesn't surprise me if she doesn't remember and that's ok. However, this does not preclude me from having to take the GI elective or not. I am not asking for an away elective but rather to be switched to Dermpath. This is a request that I made with you in July. Two, GI is an excellent rotation and has been to my knowledge very interesting and educational for the residents who had rotated thru it. However, I was not scheduled for the rotation as was most of my peers last year. Instead, I had additional months of Elmhurst, GYN, and Autopsy. This year however, I have several other interests and I requested for electives in several different specialties as is practiced at Mt. Sinai. The only option given to me was to rotate thru GI. I am not interested in rotating thru GI at this juncture and want to switch to DP as I had requested earlier in July, and if there is a conflict with too many residents on DP or whatever else that month, I am willing to switch to a different rotation such as Hematology, as you had suggested, and also because as you well know, this year I am covering an excess of months at affiliates, including an additional month of Englewood (I already did my required 2 months) and two months of microbiology at the VA (I already did my 2 months of microbiology at the VA), instead of attempting to meet the CP requirements in a structured and adequate fashion as is mentioned in the program description and as per ACGME requirements. Finally, Dr. Harpaz mentioned the possibility of not having enough residents to cover the grossing of surgical specimens for the next period but that should not be an issue as there are 6 people on surgical pathology and a total of three fellows covering liver and GI. I am sure some amicable resolution can be worked out to res olve this matter without elevating this issue to some colossal problem. One more final point, please don't be offended by anything written in this email as it's not meant to hurt anyones' feelings or sensibility.

Regards,

Dr. Varughese

----- Original Message -----

From: "Firpo, Adolfo" <adolfo.firpo@mssm.edu>
 Date: Wednesday, September 7, 2011 8:01 pm
 Subject: RE: Elective GI rotation in September 2011
 To: 'mabel ko' <ok.lebam@gmail.com>

Gmail - Fwd: Re: RE: Elective GI rotation in September 2011

5/10/13 1:41 PM

Cc: "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>, "Jordan, Adrienne (MSH)" <adrienne.jordan@mountsinai.org>, "Morency, Elizabeth (MSSM-Imail)" <elizabeth.morency@mssm.edu>, "Lento, Patrick (MSH)" <Patrick.Lento@mountsinai.org>, "Cordon-cardo, Carlos" <carlos.cordon-cardo@exchange.mssm.edu>, "Harpaz, Noam (MSH)" <Noam.Harpaz@mountsinai.org>

> Dr. Ko:
>
> Thank you for your prompt reply.
>
> Dr. Firpo
>
> Adolfo Firpo, M.D.,M.P.A.,FCAP
> Professor and Director
> Pathology Educational Activities
> Department of Pathology,
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> Mailing address:
> One Gustave L. Levy Place, Box 1619
> ATTN: Dr. Firpo
> New York, New York 10029-6574
>
>
>
> From: mabel ko [mailto:ok.lebam@gmail.com]
> Sent: Wednesday, September 07, 2011 8:00 PM
> To: Firpo, Adolfo
> Cc: Varughese, Leena (MSSM-Imail); Jordan, Adrienne (MSH);
> Morency, Elizabeth (MSSM-Imail); Lento, Patrick (MSH); Cordon-
> cardo, Carlos; Harpaz, Noam (MSH)
> Subject: Re: Elective GI rotation in September 2011
>
> Hello,
>
> No, I have already done my GI elective (in August). I haven't
> talked to Leena about taking over an elective.
>
> I also was unaware of her request at the resident's meeting.
>
> Thanks,
> Mabel
> On Wed, Sep 7, 2011 at 6:54 PM, Firpo, Adolfo
> <adolfo.firpo@mssm.edu<mailto:adolfo.firpo@mssm.edu>> wrote:

Gmail - Fwd: Re: RE: Elective GI rotation in September 2011

5/10/13 1:41 PM

> Dear Dr. Ko:
>
> Without any details or explanations answer the following two
> questions:
>
> 1. Did you agree to take over the September's elective GI
> rotation for Dr. Varughese?
>
> 2. Did you agree to do so in response to her request to be
> taken off the elective GI rotation during a resident's meeting?
>
> Thank you,
>
> Dr. Firpo
>
> Adolfo Firpo, M.D.,M.P.A.,FCAP
> Professor and Director
> Pathology Educational Activities
> Department of Pathology,
> The Mount Sinai School of Medicine.
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>
>
>

2 attachments

- [leena.varughese.vcf](#)
1K
- [leena.varughese.vcf](#)
1K

Exhibit 223

Transcript of Conversations

(September 12, 2011)

PARTICIPANTS:

Leena Varughese

Scott Barnett

Raj

Transcriber, Carla Oakley
J&J COURT TRANSCRIBERS, INC.
268 Evergreen Avenue
Hamilton, NJ 08619
(609)586-2311
FAX NO. (609)587-3599
E-mail: jjcourt@jjcourt.com
Website: www.jjcourt.com

Audio Recorded

Colloquy

2

1 LEENA VARUGHESE: Hi. This is
 2 (indiscernible) my friend.

3 RAJ: Hi. I'm Raj (indiscernible), nice to
 4 meet you, his friend, just come in.

5 SCOTT BARNETT: So, it's your meeting.

6 LEENA VARUGHESE: Yeah, so -- okay. So
 7 basically I wanted to switch my elective and I had
 8 discussed this with Dr. Firpo several months ago and he
 9 said it shouldn't be a problem. And he asked Dr. Birge
 10 (phonetic) and she said it's okay. And he was supposed
 11 to talk to Dr. Harpaz (phonetic), but he never did.

12 SCOTT BARNETT: Ah --

13 LEENA VARUGHESE: And that was, you know,
 14 just before the rotation, you know, that was going to
 15 start, so I said, you know, do I need to do something
 16 else such as like, you know, fill out a form or make it
 17 like more of an official request? But I initially
 18 thought that like I was asking him -- he -- I was under
 19 the impression that he was the program director.

20 SCOTT BARNETT: No.

21 LEENA VARUGHESE: I know, but he told me that
 22 he was. And this was like --

23 SCOTT BARNETT: He's knows he's not.

24 LEENA VARUGHESE: Well, I don't understand
 25 why --

Colloquy

3

1 SCOTT BARNETT: He's the director of
 2 education of the department.

3 LEENA VARUGHESE: Well, I don't understand
 4 why he would say that he was the program director
 5 several months ago.

6 SCOTT BARNETT: Well, listen, I met with Dr.
 7 Firpo and talked with him many, many times and I'm on
 8 -- cc'd on all the emails that go back and forth. And
 9 Adolfo has a different understanding of what he said
 10 and what was and was not promised. Basically, his view
 11 is that he never told you it wouldn't be a problem
 12 (indiscernible) and he did -- he talked to Dr. Harpaz
 13 and Dr. Birge and that Dr. Harpaz never promised it
 14 could be done. He said he would think about it and
 15 depending on the coverage and stuff and that Dr. Firpo
 16 knows he's not a program director. I mean, he never
 17 said --

18 LEENA VARUGHESE: Well, that's why I ask him
 19 straight out. I said, hey, you know, are you the
 20 program director? Are you acting in the capacity of
 21 program director? He said, yes, I am.

22 SCOTT BARNETT: But he supersedes the program
 23 director. He's the director of education of the
 24 department. Every -- all the program directors report
 25 to him. But there seems to be a little bit of he said

Colloquy

4

1 she said going on here, and Dr. Firpo doesn't -- he
 2 never thinks quite the same way that you do. And who's
 3 right and who's wrong, I don't know if anybody's right
 4 or anybody's wrong. I think there was a -- I mean, for
 5 what it's worth, Dr. Firpo strikes me as a guy who was
 6 fair and is fair and he's trying his best to get a hold
 7 of the issues in that program and your particular
 8 training situation. And he's trying to be fair and
 9 objective and open-minded and start from a neutral
 10 position. And then I don't know why it appears to be
 11 there isn't anybody to replace you on that rotation
 12 because it's -- I mean, again, I don't know to what
 13 extent you've tried to talk to each of your colleagues
 14 and tried to get coverage (indiscernible), you know. I
 15 mean, I was the program director for a very long time
 16 and most scheduling problems are the old warm body
 17 problem. You need x number of people in the rotation.
 18 They have x number of people. If you leave they'll
 19 have x minus one and they need x.

20 And I don't think most program directors --
 21 and I told Dr. Firpo that letting the people in the
 22 rotation who are in charge of the rotation decide who
 23 should be allowed to rotate is not a great philosophy
 24 because then you leave it open to people that say,
 25 well, I don't want that person, you know, I want this

Colloquy

5

1 person. And, you know, and say, well, you can't rotate
 2 with me. You know, there are broader training things,
 3 but that if a person running in experience has to have
 4 a certain number of people and that's the way this unit
 5 has to run, they're entitled to have that number of
 6 people. But I don't think anybody really cares who is
 7 there. And I don't think Dr. Firpo cares. I don't
 8 think Dr. Harpaz cares, at least I get that sense. And
 9 if you were to be able to find somebody to replace you
 10 for part or all of that experience, I think something
 11 could be worked out. But the problem is I don't think
 12 that that person's been (indiscernible). That's my
 13 understanding.

14 LEENA VARUGHESE: Well, that's interesting
 15 that's their understanding, because I was basically,
 16 you know, sending email by Adrienne saying that I'm not
 17 allowed to speak to any residents regarding switching
 18 or switching into the rotation for coverage issues.
 19 And -- what did she say? She said that I can only talk
 20 to Dr. Yao or -- no, I can only contact Dr. Yao by
 21 electronic email or I cannot talk to him in person.
 22 This is like beyond ridiculous. This is the kind of
 23 like emails that are sent to me on a regular basis. So
 24 I want you to take a look at this and tell me what you
 25 think. And two, GI rotation does not always have a

Colloquy

6

1 resident.

2 SCOTT BARNETT: No, but I think the problem
3 is the fellow is away that week, right?

4 LEENA VARUGHESE: The fellow is also there.

5 SCOTT BARNETT: No, my understanding is the
6 fellow is away and that's the problem.

7 LEENA VARUGHESE: She's away the last week.

8 She's on --

9 RAJ: You spoke to the fellow, right?

10 LEENA VARUGHESE: Yeah, and I --

11 RAJ: Yvie Suarez (phonetic)?

12 LEENA VARUGHESE: Yeah, I also spoke to the
13 fellow who said it shouldn't -- you know, it's not
14 necessarily a resident dependent rotation. But the
15 last week, she is on vacation. And, two, I had already
16 made plans to go to Osler (phonetic) for the second
17 week. And that shouldn't be an issue anyway because
18 there's going to be coverage. You know, given all
19 that, it's still a resident independent rotation to the
20 degree -- you know, in the sense that like there's not
21 always a resident there and it still works out just
22 fine.23 SCOTT BARNETT: Listen, I -- sitting here on
24 the fifth floor, it's very hard -- I mean, again, there
25 is 1,666 residents in training in the programs that I

Colloquy

7

1 oversee. There are 150 training programs. I -- it's
2 not generally feasible for me to adjudicate issues like
3 this, all right. Now, this is clearly a much more
4 complicated thing. And whether they can have a
5 resident, they usually have a resident, they don't have
6 a resident, that's sort of too much information. I
7 just -- I don't -- it's just not feasible for me to be
8 involved on this scale. But, you know, you -- between
9 -- I don't love this email. I don't understand. It
10 seems overly confrontational to me and I don't -- I
11 mean, Dr. Yao is your colleague. I mean, it's a free
12 country. If you want to pick up the phone and talk to
13 Dr. Yao -- now, again, I'm not sure. I'm certainly
14 happy to speak to Firpo and tell him like what is this
15 email about and why did you choose to take this
16 approach? It seems like they are asking you to do
17 something that is not standard, you know. Most people
18 if they had (indiscernible). Now, I don't know, maybe
19 Dr. -- maybe they talked to Dr. Yao and they said
20 (indiscernible) pressured.. I don't have no idea why
21 they chose to suggest this particularly interesting
22 layout of schedules.23 RAJ: That seems to be the tone of the email
24 she's getting. Also, it's -- you know, it's to that
25 point. I think that's why she wanted to speak with you

Colloquy

8

1 because it's --

2 SCOTT BARNETT: Well, I also -- I think that
 3 they're trying to establish -- the training program was
 4 and is less so but still remains in effect. There are
 5 issues that Dr. -- the new chairman and the new
 6 director of education are trying to get a handle on.
 7 They're trying to standardize things that are things --
 8 switches toward a certain way. They want these to
 9 work. They're trying to do this and they're trying to
 10 say, well, this is the way we want it done. And
 11 they're trying to ask people to adhere to that. So
 12 there are polices. There are procedures.

13 RAJ: It seems Leena is being unfairly
 14 treated though. She's -- you know, Dr. Firpo sent an
 15 email to Dr. Peterson (phonetic) stating he wanted a
 16 list on how she's meeting all these ACGME requirements,
 17 the competencies that everybody (indiscernible).
 18 Several years ago I went to residency training. I know
 19 what you have to do. And if he's requiring that of
 20 Leena, why she -- you know, he should require it of
 21 every resident.

22 SCOTT BARNETT: But how do you know that he's
 23 not? You don't know that.

24 RAJ: I don't know that, but, you know, I --

25 SCOTT BARNETT: Well, you can't accuse him of

Colloquy

9

1 discriminating unless you know those facts. And the --
 2 you know, this is -- again, this is not in isolation.
 3 You know, there was an academic advisement here about
 4 the number of issues, including professionalism. And
 5 Firpo was asked by the chairman and by us to sort of
 6 wipe the slate clean, meet with Leena every two weeks,
 7 go over these things. As far as I know, she's the only
 8 person on academic advisement in the program. So if
 9 that's the case, asking for information about progress
 10 related -- the only person who is on academic
 11 advisement is not treating somebody differently. It's
 12 just doing due diligence.

13 RAJ: That's true, but, you know, unless
 14 there's a specific problem why go to the extent of --
 15 to the point of intimidating her superiors and saying,
 16 you know, I need specific points on every, you know,
 17 each of the competencies?

18 SCOTT BARNETT: They're not intimidating
 19 superiors. It's what people -- that's their job. If
 20 the program director asks you to give you an
 21 evaluation, that's your job. Otherwise, you get fired.
 22 That has nothing to do with intimidation.

23 RAJ: No, no, no, an evaluation is a separate
 24 issue.

25 SCOTT BARNETT: Yeah.

Colloquy

10

1 RAJ: But this was -- you can show the email.
 2 I don't --

3 SCOTT BARNETT: Listen, the program director
 4 and the director of education have the right to solicit
 5 information about the trainees. That's their job. To
 6 the extent they're doing it to other residents, I
 7 couldn't tell you. Whether they're doing it -- if this
 8 is a department-wide or program-wide issue, I don't
 9 know. This is -- Dr. Peterson is your new advisor,
 10 right?

11 LEENA VARUGHESE: Yeah, he's been my adviser.

12 SCOTT BARNETT: Okay, so he's your adviser.

13 RAJ: I think Leena just wants even and fair
 14 treatment like everyone else.

15 SCOTT BARNETT: Well, again, I don't know
 16 that -- again, for all I know this email was sent to
 17 every advisor by Firpo saying, listen, I'm director of
 18 education. You're the advisor. I want to meet with
 19 you to discuss how his department now is evaluating its
 20 trainees.

21 RAJ: Well, you could see --

22 SCOTT BARNETT: I know.

23 RAJ: -- it was sent specifically to Leena
 24 and then --

25 SCOTT BARNETT: Yeah, but --

Colloquy

11

1 RAJ: -- cc'd to several other --

2 SCOTT BARNETT: Yeah, but you don't know that
 3 Adolfo didn't send the same mail to Joe Blow (phonetic)
 4 who's another advisor cc'd to the person that he'd be
 5 advising. You don't know that. I don't know that.

6 RAJ: But that's the type of pressure Leena
 7 is under. She's under a lot of emotional stress. I've
 8 seen her like crying about this.

9 SCOTT BARNETT: Yeah, but again, I --

10 RAJ: She feels like she's being singled out,
 11 you know, unfairly.

12 SCOTT BARNETT: But you don't -- without
 13 knowing that you're being singled out. How do you know
 14 that? I mean, if he wanted to be --

15 LEENA VARUGHESE: Well, I'm on academic
 16 advisement then --

17 SCOTT BARNETT: If he wanted to be
 18 surreptitious, he wouldn't have cc'd you, right?

19 RAJ: Uh-huh.

20 SCOTT BARNETT: I mean, the fact that he cc'd
 21 you, you could -- again, I could argue -- I'm a great
 22 arguer. I grew up with my mother. She could argue
 23 anything. I could argue anything. I could easily make
 24 the point that if he wanted discriminate against you,
 25 he wouldn't have let you know what he was doing. He

Colloquy

12

1 would have left you out of the loop. There was no
 2 reason he had to include you on this email at all,
 3 right? If he was on a vendetta, he could say, tell me
 4 what you've got about this and leave it to me now. The
 5 fact that he was -- that he's apparently open about it
 6 to me seems like, okay, everybody -- every advisee is
 7 going to know --

8 RAJ: I don't think that's the case. Dr.
 9 Peterson asked me, you know, what's this about? What's
 10 going on?

11 SCOTT BARNETT: Well, Dr. Peterson is a
 12 schmuck. What is --

13 LEENA VARUGHESE: He's not a schmuck.

14 SCOTT BARNETT: Tell the guy to shut up.

15 LEENA VARUGHESE: Don't say that.

16 SCOTT BARNETT: Tell him to shut up. It's
 17 not his job to question you about what Adolfo Firpo is
 18 doing. It's stupid. I mean, come on. The guy --

19 LEENA VARUGHESE: He didn't question me. He
 20 just said, you know, Dr. Firpo stopped by.

21 RAJ: He is her advisor.

22 LEENA VARUGHESE: He's my advisor.

23 RAJ: And he's asking her what is this about,
 24 so it seems strange, you know.

25 SCOTT BARNETT: No, no, listen, it's not his

Colloquy

13

1 job. His job is a faculty member.

2 LEENA VARUGHESE: He's my advisor.

3 SCOTT BARNETT: It doesn't matter. He
 4 reports to the department chairman and the director of
 5 education. If they tell him to produce the
 6 information, produce the information. What are they
 7 talking to you for? It's stupid.

8 RAJ: I know, but --

9 SCOTT BARNETT: I would never have tolerated
 10 that as a vice chairman of a department. I mean, it's
 11 silly. I mean, you know, that whole department is
 12 insane. Your department is insane. I mean, it's --

13 RAJ: Yeah, I asked Dr. -- you know, for her
 14 to ask Dr. Peterson to come here today and she said,
 15 you know --

16 SCOTT BARNETT: Dr. Peterson --

17 RAJ: -- he would, you know, flip out and
 18 have a panic attack.

19 SCOTT BARNETT: Dr. Peterson doesn't belong
 20 in this discussion. This is -- there's a department
 21 chairman and a director of education. They call the
 22 shots. If they ask Dr. Peterson to jump up and down on
 23 his head, he has to jump up and down on his head or
 24 resign from the department and the training program.
 25 That's what -- I was a vice chairman for a long time.

Colloquy

14

1 Somebody has got to run the training program. And if
 2 he wants information, if he wants to instruct the --
 3 you know what, there was no control over the training
 4 program at all for 50 years. Nobody knew what anybody
 5 was doing. There were no protocols. There were no
 6 goals and objectives. There was no -- nothing. And he
 7 -- my sense is, is that Firpo is trying to standardize
 8 all this, get it underway, get the expectations
 9 realigned so everybody knows what they're doing. And
 10 he cc'd you to let you know that he is expecting your
 11 advisor to meet with him so he understands -- the
 12 advisor understands what the expectations are. Why
 13 would the advisor ask you? Let him ask Firpo what he
 14 means by this. Why is he asking you? He placed you in
 15 a terribly awkward situation. It makes it sounds like
 16 you're being --

17 RAJ: You're the only one who is under that
 18 situation, so.

19 SCOTT BARNETT: Yeah, but for all I know that
 20 there are 12 advisors and every advisor got the same
 21 email. I don't know that, and until I know that I
 22 can't make a statement about it. And if you want to
 23 know, you could send an email -- you were cc'd -- to
 24 Dr. Firpo if you -- it would be reasonable. I would
 25 have no -- I can't imagine an objection. If there is,

Colloquy

15

1 it would be -- I wouldn't understand it. Dr. Firpo,
 2 thank you for including me on this email and just for
 3 my own edification, have you sent emails -- similar
 4 emails to all the advisors and their advisees? You
 5 could send that email. That would be a perfectly
 6 reasonable thing. And if they said no, then again, he
 7 has that right to meet with Peterson, all right?

8 RAJ: Of course, yeah.

9 SCOTT BARNETT: But if he was going to be --
 10 if he was going to single you out in this way, cc'ing
 11 you is an extraordinarily (indiscernible). If he
 12 wanted to hide this, he shouldn't have cc'd you. You
 13 wouldn't have known about it. So I think if you want
 14 to reassure yourself or try to reassure yourself that
 15 you're not being singled out, you could take that
 16 approach. The business about the elective, I just
 17 don't have enough information to know whether your
 18 absence without a switch is feasible. I don't know the
 19 answer to that.

20 RAJ: And this is also her one elective
 21 rotation in four years, whereas the other residents
 22 seem to be getting, you know, for example, I think you
 23 said Adrienne was on an away elective rotation, you
 24 know, Dr. Jordan (phonetic) --

25 SCOTT BARNETT: Right.

Colloquy

16

1 RAJ: -- chief resident. Now, you know, she
 2 requested this change in July and she got indications
 3 that it was changed. And then at the last minute --
 4 it's the last minute now -- they're saying they can't
 5 do that, you know.

6 SCOTT BARNETT: Again, I think there seems to
 7 be a he said she said kind of thing. I think the
 8 pathology department doesn't believe that it was so --
 9 they didn't think they had given the impression nor did
 10 they wish to give the impression this was a done deal,
 11 that it was okay, that it was already done, that it was
 12 not going to be a problem (indiscernible) that he would
 13 --

14 RAJ: She made arrangements for Osler, the
 15 resident review course in Tampa. She paid for
 16 everything. She thought she had that rotation and --

17 LEENA VARUGHESE: Well, even if I'm on the
 18 rotation --

19 RAJ: You can take it? Okay, good.

20 LEENA VARUGHESE: I can take it regardless.
 21 It's not --

22 SCOTT BARNETT: Right.

23 RAJ: No, but, you know, that's good that
 24 you're clear to take that week off?

25 LEENA VARUGHESE: Well, I have to speak to

Colloquy

17

1 Dr. Harpaz, but --

2 RAJ: Speak to Dr. Harpaz about it?

3 LEENA VARUGHESE: -- it shouldn't be --

4 SCOTT BARNETT: Right.

5 RAJ: Because, you know -- because I've seen
 6 the emails from Dr. Jordan saying, oh, unless you find
 7 a person to cover for that week, you're not allowed to
 8 go and you know, have resident education board review,
 9 you know? It seems that's the type of tone that's --

10 SCOTT BARNETT: Well, again, I -- the tone of
 11 individual emails, again, that's way beyond my ability
 12 to police. I mean, I can't monitor the emails of all
 13 16 hundred trainees here. The fact that I'm cc'd on
 14 almost every email in the department now is
 15 interesting. Almost every email that's sent about any
 16 trainee issue obviously (indiscernible). I already get
 17 200 emails a day. So -- but I think he's trying to
 18 make sure I understand what he's trying to do, which is
 19 fine. I think there's several -- the approach I would
 20 take is one to clarify whether the Osler experience is
 21 in the bag (indiscernible).

22 RAJ: There are several other of her fellow
 23 residents are going and it would be unfair for her to
 24 be singled out not to go, you know.

25 LEENA VARUGHESE: Yeah.

Colloquy

18

1 SCOTT BARNETT: I -- unless there's some
 2 other piece of information that I'm missing, I --

3 LEENA VARUGHESE: Well, I don't know what
 4 other piece of information is going to just suddenly
 5 like come up --

6 SCOTT BARNETT: I don't know.

7 LEENA VARUGHESE: -- because it was just like
 8 the academic advisement, you know, disciplinary action
 9 that's been taken since even though I met all the
 10 requirements.

11 SCOTT BARNETT: Well, I think -- I know the
 12 department may have a slightly different view of how
 13 well you're adhering to the terms of the advisement. I
 14 mean, again, it's something that you probably since
 15 Adolfo Firpo is the person who is monitoring the
 16 (indiscernible), you should be talking about your
 17 meeting with him. You know, I want this
 18 (indiscernible). I mean, I want this to work how. How
 19 do you think I'm doing?

20 LEENA VARUGHESE: I did. I did meet with him
 21 and -- no, but we were supposed to discuss
 22 professionalism, et cetera, then he just wanted to talk
 23 about, you know, how the program is just so out of
 24 control, this, that. It's like, you know, this is not
 25 all my fault. Like I didn't -- you know, I'm just a

Colloquy

19

1 resident here. You know, I had a bad experience with
 2 one of the chief residents last year. You know, I made
 3 a complaint about it. And then since then, like I've
 4 been trying to move past that traumatic incident.
 5 Instead, I keep getting dragged into all these -- you
 6 know, this just keeps getting out of control. It as if
 7 like anything I say or do doesn't matter because it's
 8 already predetermined that, you know --

9 SCOTT BARNETT: I --

10 LEENA VARUGHESE: -- no matter what there's
 11 going to be this negative attitude towards me and this
 12 is where it's going to go --

13 SCOTT BARNETT: I don't know --

14 LEENA VARUGHESE: -- as opposed to like, you
 15 know, just resolve the issue, let's move past, because
 16 I've given my word that I'm not taking any action or
 17 I'm just not taking any real, you know, legal recourse
 18 or actions given the situations and circumstances. So
 19 there's no reason to like really drag me into --

20 RAJ: Her fellow residents are aware of
 21 what's been happening and they advised her to get a
 22 lawyer because of the, you know, just the crazy --

23 SCOTT BARNETT: Listen, it's a free country.

24 RAJ: Yeah.

25 SCOTT BARNETT: You can get a lawyer.

Colloquy

20

1 RAJ: Yeah.
 2 SCOTT BARNETT: You can do whatever you want.
 3 I don't --
 4 RAJ: Yeah.
 5 SCOTT BARNETT: You can do whatever you want.
 6 RAJ: Right.
 7 SCOTT BARNETT: Whatever due process of a
 8 recourse --
 9 RAJ: But that's the type of atmosphere
 10 that's there and it shouldn't be like that, you know.
 11 SCOTT BARNETT: Well, listen, all I could do
 12 is I have a slightly different take on this. I am not
 13 so sure based on, you know, I've heard some of what you
 14 said and I'm trying -- I speak a lot more to Firpo and
 15 Carlos, the chairman, Dr. Cordon-Cardo. They --
 16 they're not 100 percent sure that you've made the
 17 strongest effort to put these things behind you. There
 18 are still occasional interactions you have with the
 19 both of them that are unsatisfactory with them,
 20 something that the other day people came out of their
 21 offices and couldn't figure out why you were screaming
 22 at Firpo. Your voice was really --
 23 LEENA VARUGHESE: I wasn't screaming at him.
 24 SCOTT BARNETT: Maybe you don't perceive it
 25 that way, but you probably didn't perceive it that the

Colloquy

21

1 first time you were in this room sitting in that chair,
 2 you were yelling at me. You might remember that I
 3 asked you to look at my ID card and to read the title
 4 on my card, right, which explains that I might outrank
 5 you by like a million levels. You wouldn't
 6 (indiscernible). Paul was about to come in here
 7 through that wall. You may not -- you may be
 8 misinterpreting that your tone is perceived by others
 9 as being more aggressive --

10 LEENA VARUGHESE: I know.
 11 SCOTT BARNETT: -- than someone at your level
 12 is entitled to. You're not entitled to raise your
 13 voice to the chairman of the department or the director
 14 of education. You are not entitled to do that. I
 15 never raised my voice with -- there are lots of people
 16 I thought were douche bags. This is my 34th year at
 17 Mount Sinai and my 37th year in the profession, okay.
 18 I've met lots more people than you have and there's
 19 lots of people I would like to choke the shit out of,
 20 but I didn't raise my voice to them and I didn't yell
 21 at them and I didn't have an attitude with them,
 22 because there's a hierarchy. This is one of the most
 23 conservative clubs in the world, medicine. It is a
 24 strict hierarchy. It's not like the -- it's almost
 25 like the military except we don't salute, okay. It's

Colloquy

22

1 very obvious that that's the case. And me, I'm the
 2 most free spirited 58 year old on the planet. I'm the
 3 most informal person and my (indiscernible). And it
 4 was very clear to me that there are certain lines
 5 you've got to be really careful about. And I've had to
 6 deal with this my whole life. I have a very reverent
 7 sense of humor. I'm extraordinarily sarcastic. And I
 8 have to count to 20 almost every time I open my mouth
 9 every day because I'm likely to say the most
 10 irreverent, silly thing I can think of. And I meet
 11 with people, deans and presidents of hospitals and
 12 presidents of medical centers and department chairmen,
 13 and a lot of people outrank me. And it takes a lot to
 14 control myself. I have a short temper. People piss me
 15 off really readily, but I've learned you've just got to
 16 count to 20 and you've got to say, okay, I'm talking to
 17 the department chairman. And then some time --

18 RAJ: Leena does have a short temper.

19 LEENA VARUGHESE: No, I don't.

20 RAJ: But, you know, she's defending her
 21 point. You know --

22 SCOTT BARNETT: Okay, but there are --

23 RAJ: -- she hasn't said anything outrageous.

24 SCOTT BARNETT: I think --

25 RAJ: She hasn't done anything outrageous.

Colloquy

23

1 SCOTT BARNETT: I think that there are people
 2 --

3 RAJ: And she's entitled to defend yourself.

4 SCOTT BARNETT: She is.

5 RAJ: And I think that's all she's done,
 6 that's all.

7 SCOTT BARNETT: Well, you're her --

8 RAJ: And if you raise your voice when you're
 9 defending yourself, you're entitled to do that, you
 10 know.

11 SCOTT BARNETT: I think that you're allowed
 12 to be passionate in your defense of yourself, but you
 13 are -- but there are still rules or perceived rules of
 14 interaction that you may have run afoul of, that's all
 15 I'm saying, yes?

16 RAJ: That's true, and that leaves a bad
 17 taste in your mouth, but (indiscernible) treated fairly
 18 and not just, you know --

19 SCOTT BARNETT: Listen, my -- I had another
 20 house officer in here (indiscernible) my role as the
 21 associate dean for DME is to try my best to ensure that
 22 exactly that is happening. I have three sons of my own
 23 at different stages of their life. And all you could
 24 handle -- all I want people to treat them, I want to
 25 treat people fairly. That is very important.

Colloquy

24

1 RAJ: If this was your daughter would you
 2 want her treated like this? You know, like --

3 SCOTT BARNETT: I'm not convinced that she's
 4 being treated totally unfairly. I don't agree with
 5 that assessment. I think there are things that I might
 6 have handled differently, but I -- if you think this is
 7 all one sided, you're -- I think you're mistaken. And
 8 I think that certainly the beginning of this, there
 9 were things that -- it was not handled well. But
 10 there's a new chairman. There's a new director.

11 LEENA VARUGHESE: Yes, plus continuing the
 12 same treatment of me despite the fact that --

13 SCOTT BARNETT: You know that is completely
 14 not true. I met with Carlos and Adolfo. They came --
 15 I'm completely convinced in my mind that they came here
 16 with an open mind and wanted to move past this. And it
 17 was not -- I don't get the sense that they're
 18 unreasonable people. I think the -- you know,
 19 Schiller, Jim Strauchen (phonetic) here when you first
 20 started it was very different. And (indiscernible) has
 21 been under -- could have done a stronger job of taking
 22 control of a somewhat (indiscernible) and getting it
 23 all lined up to the standards that we expect. I --
 24 listen, you're -- I haven't been the recipient of any
 25 of the meetings. I don't know what report they've

Colloquy

25

1 done. And it could be very well true that these people
 2 who seem to me to be reasonable and fair are being --
 3 in their dealings with me are being less than that with
 4 you, right? I have a certain administrative title
 5 here. They know that if they piss me off I'll go to
 6 the dean, so that's not a good idea. And they made --
 7 you know, I work with a -- one of my colleagues is a
 8 peds intern resident with somebody that I went to
 9 college with. And then he went downstate, I went to
 10 NYU, and came back here as an intern. And Mitch
 11 (phonetic) was a great fellow resident, and he was one
 12 of the worst chief residents we've ever had in
 13 pediatrics in all these years. You could work with him
 14 but you couldn't work for him. He was a terrible
 15 leader. And if you said to him, listen, they're
 16 pulling the wool over your eyes, they're a bunch of
 17 (indiscernible) people and they're not being fair and
 18 you don't -- you have not been one -- you know, on
 19 these meetings, you have no idea what's going on,
 20 that's (indiscernible).

21 RAJ: She's getting these emails also from
 22 Dr. Firpo about the -- what was it? About the -- what
 23 was that email about? Oh, you could not communicate
 24 with Mabel (phonetic), that email?

25 LEENA VARUGHESE: Oh, yeah, Mabel.

Colloquy

26

1 RAJ: You know, it's not that she's imaging
 2 it. She's getting the emails that says you're not --
 3

4 SCOTT BARNETT: Yes, but again, based on --
 5

6 LEENA VARUGHESE: Yeah.
 7

8 SCOTT BARNETT: There was supposedly again,
 9 Leena apparently had made the comment that Mabel seemed
 10 to be aware of your need and Mabel has no recollection
 11 of that, so he didn't want Leena to start pressuring
 12 her because I think Mabel said, I don't want to talk
 13 about this with everybody, so that's why he sent an
 14 email. It wasn't that email. It's just that Mabel
 15 didn't remember the conversation, didn't agree to make
 16 the switch and didn't want to talk about it.
 17

18 RAJ: She had already had a GI rotation. It
 19 wasn't an issue at all. You know, she had spoken to
 20 her long before, so it wasn't --
 21

22 LEENA VARUGHESE: This wasn't like about this
 23 particular rotation that was coming up.
 24

25 RAJ: Yeah.
 1

2 LEENA VARUGHESE: This was about like a long
 3 time ago. I was actually scheduled for the month that
 4 Mabel actually did the GI rotation. So we were at a
 5 residents' meeting and Mabel just -- I was like, oh, I
 6 not really interested in GI -- doing the GI rotation
 7 anymore, you know. And Mabel is like, oh, I want that
 8

Colloquy

27

1 rotation. And what -- I had thought she wasn't
 2 scheduled for the rotation, but in fact she was
 3 scheduled for the rotation several months later. She
 4 actually wanted to do the rotation earlier.
 5

6 SCOTT BARNETT: Right.
 7

8 LEENA VARUGHESE: So what happened was she
 9 just got switched into my spot and they switched me to
 10 a later month instead of removing me and, you know,
 11 giving to her like an -- you know what I mean? So
 12 that's basically what happened.
 13

14 RAJ: And it's a pretty long email.
 15

16 LEENA VARUGHESE: And then --
 17

18 RAJ: You know, it's pretty intimidating,
 19 too, without any further question or something. You
 20 know, it's just --
 21

22 LEENA VARUGHESE: Details or explanation,
 23 answer the following two questions.
 24

25 SCOTT BARNETT: Again --
 1

2 LEENA VARUGHESE: Did you agree to take over?
 3

4 SCOTT BARNETT: There's no place to respond
 5 to this. You don't think the emails I get from my
 6 bosses are intimidating? I don't get a kind, gentle
 7 email from the people above my head ever.
 8

9 LEENA VARUGHESE: But this is like not just
 10 like one or two emails. This is --
 11

Colloquy

28

1 RAJ: These are not, and then --
 2 SCOTT BARNETT: What have you got? I've been
 3 (indiscernible).

4 LEENA VARUGHESE: These are just like every
 5 other email I get and any communications that I have
 6 with Adrienne or, you know, Dr. Firpo.

7 RAJ: She injured her arm one day and
 8 couldn't do frozen sections, so Adrienne emailed her
 9 and said, oh, I need a note from the physician. She
 10 was here at work. She was doing her rotation, but she
 11 couldn't do the doing of the frozen section.

12 LEENA VARUGHESE: Frozen section.

13 RAJ: And she demanded a physician's note for
 14 that. And then Dr. Firpo asked for that note recently.
 15 That's the type of tone.

16 LEENA VARUGHESE: Yeah, but I talked to him
 17 he's like --

18 RAJ: It's the tone -- strange, you know.

19 LEENA VARUGHESE: -- where is that note that
 20 --

21 RAJ: Is she supposed to go --

22 LEENA VARUGHESE: -- I said, well, you know,
 23 it was here.

24 SCOTT BARNETT: Wait, wait. Again, this is
 25 under the background of somebody who is on academic

Colloquy

29

1 advisement for professionalism shoes. And being unable
 2 to do your work, saying I can't do my work when you're
 3 on advisement is not the same as you can't have done
 4 your work when you're not on advisement. It's not the
 5 same --

6 LEENA VARUGHESE: I'm not on advisement any
 7 more. Apparently I'm on disciplinary action according
 8 to a letter that was written by Dr. Lento and signed by
 9 Dr. Cordon-Cardo. In the letter, Dr. Lento refers to
 10 himself and then Dr. Cordon-Cardo signs the letter,
 11 which is like --

12 SCOTT BARNETT: I mean, I --

13 LEENA VARUGHESE: -- unheard of, like this is
 14 such like abuse, and like, you know, mental,
 15 psychological abuse. Like I cannot say anything else
 16 beyond that. And, you know, my voice gets a little
 17 loud now. Do you think I'm yelling?

18 RAJ: That's because she's upset and she also
 19 --

20 LEENA VARUGHESE: Do you think --

21 SCOTT BARNETT: If you were yelling at me --

22 LEENA VARUGHESE: But do you --

23 SCOTT BARNETT: -- I would tell you to stop
 24 yelling at me.

25 LEENA VARUGHESE: But you think I'm yelling

Colloquy

30

1 at you now? Do you think I'm yelling at you?
 2 SCOTT BARNETT: No, I --

3 LEENA VARUGHESE: No, you're not -- I'm not.
 4 So if I speak like this (indiscernible) that I'm
 5 yelling?

6 SCOTT BARNETT: Wait a second.

7 LEENA VARUGHESE: You know what I mean?

8 SCOTT BARNETT: Wait, wait, wait, wait, see,
 9 now you -- again, if I told you that the last time you
 10 were yelling at me, you were yelling at me. It's not
 11 because your voice was raised. I know the difference.
 12 I know the difference between being yelled at and have
 13 something -- having a discussion that is difficult and
 14 somebody getting a little agitated. I know the
 15 difference. I've been yelled at a million times on my
 16 job. At home I get yelled at all the time. There's a
 17 difference. I know the difference. Again, I have a
 18 short temper myself and I -- but --

19 LEENA VARUGHESE: I don't have a short
 20 temper.

21 SCOTT BARNETT: Maybe yes, maybe no. That's
 22 up to you to decide, but --

23 LEENA VARUGHESE: It takes a lot for me to be
 24 provoked. The first time Sam like started screaming at
 25 me, yelling at me, I didn't get provoked. I said, you

Colloquy

31

1 know, listen, what's going on? The first time Dr.
 2 Fallon (phonetic) told me, oh, take the slides from my
 3 lab and go label them, yeah, I got upset but I didn't
 4 get mad at him. I spoke to my friend about it. The
 5 other time, you know --

6 SCOTT BARNETT: You're going back a year and
 7 a half --

8 LEENA VARUGHESE: No, that's going back three
 9 years.

10 SCOTT BARNETT: -- and that was investigated
 11 and --

12 LEENA VARUGHESE: That was going back three
 13 years. This is going back last year. Then Dr. Morotti
 14 (phonetic) goes to me -- she screams to me in front of
 15 all the secretaries about like how I took a day off and
 16 how I shouldn't take days off because I took a sick day
 17 because, you know, that just makes me look bad. Dr.
 18 Bleiweiss and Dr. Unger (phonetic) is not going to help
 19 you find a job. You're not going to like do well once
 20 you get out there, you know --

21 RAJ: Dr. Schiller told her there's something
 22 wrong with her DNA.

23 LEENA VARUGHESE: DNA.

24 RAJ: This is like a pattern that really --

25 LEENA VARUGHESE: This is a pattern of like

Colloquy

32

1 abuse, psychological abuse.

2 SCOTT BARNETT: I don't know what was said
 3 but that was a year -- you're talking over a year ago.
 4 You're rehashing stuff. Nobody has said that since.

5 RAJ: Yeah.

6 SCOTT BARNETT: I mean, again --

7 LEENA VARUGHESE: Nobody is going to say that
 8 since, but the thing is like is has taken its affect.
 9 It has taken its --

10 RAJ: But the atmosphere that -- yeah, that
 11 really --

12 LEENA VARUGHESE: That's the psychological
 13 toll that it takes on a resident. I mean
 14 (indiscernible) works in this organization.

15 SCOTT BARNETT: I have to disagree with the
 16 two of you. That happened when Schiller was the chair
 17 and --

18 LEENA VARUGHESE: He wasn't even the chair at
 19 that point. He had resigned.

20 SCOTT BARNETT: That's okay but -- and --

21 LEENA VARUGHESE: But the tactic is take me
 22 to Dr. Schiller who is intimidating enough and have him
 23 talk to him instead of like, you know, actually
 24 addressing the issue and having a discussion, but
 25 that's --

Colloquy

33

1 SCOTT BARNETT: Yeah, but that
 2 (indiscernible) you're aware the -- where he was in the
 3 interim --

4 LEENA VARUGHESE: But since then I've been
 5 put on academic advisement following that incident. It
 6 wasn't before that incident I was on academic
 7 advisement but following it. After I made a complaint,
 8 I had to go to HR. I had to do all these things
 9 basically because I felt like I wasn't even --

10 SCOTT BARNETT: Are you really telling me
 11 that you believe that every single one of your
 12 interactions with your colleagues that you've never
 13 displayed an unprofessional interaction with any of
 14 your colleagues? Are you trying to tell me that?

15 RAJ: What's an example of that, you know?
 16 Like she's --

17 SCOTT BARNETT: I'll give you one. You met
 18 with the chairman of the department several times and
 19 you, according to the chairman, took a book and threw
 20 it on the table. Oh, I didn't read it. This is the
 21 chairman of a department.

22 RAJ: I think they're blowing that out -- she
 23 took a book --

24 SCOTT BARNETT: But it doesn't matter.

25 LEENA VARUGHESE: Yeah, I just put it down

Colloquy

34

1 like this and --

2 SCOTT BARNETT: And you think that's
3 (indiscernible).4 RAJ: And I think that can be blown out of
5 proportion.

6 LEENA VARUGHESE: I know. That's not --

7 SCOTT BARNETT: Wait a second. You can't say
8 that everybody --

9 RAJ: It's not (indiscernible).

10 LEENA VARUGHESE: That's a perception.
11 That's --12 SCOTT BARNETT: Wait a second. Again, you
13 can't say that everybody's perception of you is
14 incorrect and your --15 RAJ: Well, even if that were the case is
16 that a reason to put someone on academic advisement --

17 SCOTT BARNETT: The answer is --

18 RAJ: and disciplinary action? I don't think
19 the crime --

20 SCOTT BARNETT: Again --

21 RAJ: -- fits the punishment here and that's
22 -- clearly, she's just passionately defending her case.23 SCOTT BARNETT: Well, if you didn't believe
24 that, you should have asked for a hearing by the --

25 RAJ: Her lawyers advised her against that

Colloquy

35

1 because they know this, you know --

2 SCOTT BARNETT: Well, so that's --

3 RAJ: That's her choice. That's hers -- you
4 know.5 SCOTT BARNETT: Yeah, you had -- you were
6 offered due process.7 LEENA VARUGHESE: I would have actually asked
8 for a hearing back in the day when Sam actually
9 initially harassed me. I would have asked that to be
10 put on trial.11 RAJ: He told her, shut up, shut up, in front
12 of other residents since, you know --13 SCOTT BARNETT: Yeah, but again, you could
14 have -- whatever you did or didn't do.15 LEENA VARUGHESE: That's what I wanted to do,
16 but instead like I -- because of the way I've been
17 treated, how I felt and what was happening, I actually
18 went to HR and complained about it. And I said, you
19 know --20 SCOTT BARNETT: And it was investigated and
21 there was a lot of people who felt that your
22 interaction with Sam was inappropriate. They got tons
23 of people who said that that was not the way you
24 perceived it. Again, they interviewed a tone of people
25 said that this is not actually how Leena portrayed it.

Colloquy

36

1 Okay? They did their due diligence. The story was
 2 somewhere in between Sam's story and your story. It
 3 was somewhere between it. It doesn't matter what you
 4 say. They met with lots of people and it wasn't the
 5 way you said it and it wasn't exactly Sam. It was
 6 somewhere in the middle.

7 RAJ: I mean, there were only two other
 8 people there, so that's --

9 SCOTT BARNETT: It doesn't -- whatever it was
 10 that your side of that story was not corroborated.
 11 Okay? It wasn't corroborated. So, again, my job is to
 12 make sure that, again, people seem to be acting fairly,
 13 and I believe that Carlos and Adolfo are trying to be
 14 fair, and that if they do something, they're not doing
 15 it in a crazy way. And again, I'll tell you a story.
 16 Somebody came to my -- one of the program directors,
 17 who is no longer a program director because I had him
 18 changed, came to me and said, I want to put x person on
 19 probation again. I said, what are you talking about?
 20 I never heard of such a thing. Why was the person on
 21 probation the first time? He said, oh, we put him on
 22 probation. I said, did you do it in writing? No. Did
 23 you offer them due process? No. I said, well, how do
 24 you like that? They were never on probation. And if
 25 they ever ask you if they're on probation, the answer

Colloquy

37

1 is no. And this time you don't have enough proof to
 2 put him on probation. I stopped it, okay. I've met
 3 with -- about this a million times already including
 4 last week. I've been on every email. Are there
 5 interactions that I think -- I don't know -- I'm not
 6 sure why the chief resident is in the middle of all
 7 this. That's not the way I would have done business if
 8 I was the program director. But this is between you
 9 and Adolfo. Very simplistically, he is the person
 10 assigned by the department to figure out how to get you
 11 through the rest of your training. That's all it is.

12 RAJ: And she feels she's being unfairly
 13 treated. That's why she's here. She just wants to
 14 know that she can come to you or authority figures when
 15 she's not being --

16 SCOTT BARNETT: Yes.

17 RAJ: Like who does she go to when she feels
 18 she's not --

19 SCOTT BARNETT: Well, what do you want to
 20 happen now? You still have to get through Carlos. You
 21 have to still get through Adolfo, okay. You have to
 22 work this out with Adolfo. I mean, he's the one who is
 23 making the determination on behalf of the department.
 24 And, I mean, again. you're meeting with him. You
 25 should -- again, by now it should be clear what you're

Colloquy

38

1 talking about, what's going on. If you have a
 2 question, again, he supposedly has an open door about
 3 this. You could -- you're supposed to be able to talk
 4 to him about your concerns about this. I mean, if --
 5 and if he's -- and if you're telling me that he's --

6 RAJ: Well, he seems to be consulting with
 7 Dr. Jordan, who is the chief resident, and then coming
 8 to a decision, which he should make a decision not
 9 consult with Dr. Jordan or Dr. --

10 SCOTT BARNETT: No, no, wait, wait, wait, he
 11 can consult with anybody he wants. He's not -- he
 12 doesn't observe you. He's not -- but if he's going to
 13 figure out whether you've turned the corner in your
 14 relation with the department, he has to talk to the
 15 people you're working with. He has to do that. He has
 16 to talk to your adviser. He has to talk to your
 17 attending. He has to talk to your chief resident. He
 18 has to talk to everybody and then he could filter it.
 19 I don't know that that's unreasonable. He's not going
 20 to tag along with you, handcuffed to you to make sure
 21 you're acting professionally every second of the day.
 22 It's not his job. He doesn't have to -- just like I
 23 can't do it. He has to -- he's trying to get -- he's
 24 trying to straighten out the entire educational
 25 enterprise of that goofy department of yours. That's

Colloquy

39

1 his job. So if he needs more information, he's
 2 entitled to get it. As long as it --

3 RAJ: But it's clear that they're not being
 4 fair to her. That's the only reason she's here. If
 5 she was being treated fairly, she wouldn't complain.

6 SCOTT BARNETT: Again, I will --

7 LEENA VARUGHESE: And it's almost like, you
 8 know, we will treat you unfairly, try and complain.
 9 Try and ask us for, you know, fair treatment. Try and
 10 ask us for elective. We will just deny it. We will
 11 just find a reason --

12 SCOTT BARNETT: Yeah, I don't know that it --

13 LEENA VARUGHESE: -- why it's not necessary
 14 for you to do that.

15 SCOTT BARNETT: I don't know that -- I don't
 16 get that sense.

17 LEENA VARUGHESE: Okay. Well, here is
 18 another email. Okay. What did I say? I haven't --
 19 you know, I would like to switch into hematology. I
 20 already did microbiology at the VA, which is like two
 21 months per resident. I did Englewood (phonetic) two
 22 months per resident. They scheduled me for another
 23 month of Englewood this year and two months of micro at
 24 the VA. I had one month of hematology. Everyone else
 25 in the program has at least two months or three months.

Colloquy

40

1 Blood bank, I think I'm going to have two months.
 2 Clinical chemistry, I think I'm going to have like two
 3 maybe three months. It's like, you know, there are
 4 certain like areas that I feel weak in and I need like
 5 exposure to, and I'm not like scheduled for those
 6 particular rotations and I'm worried.

7 SCOTT BARNETT: (Indiscernible) then --

8 LEENA VARUGHESE: And every time this has
 9 happened in the past where it's like I haven't
 10 scheduled working hematology hemopath. I haven't been
 11 -- I wasn't scheduled for GI last year. And I have
 12 asked for those rotations and it doesn't happen.

13 SCOTT BARNETT: Well --

14 LEENA VARUGHESE: It just doesn't happen.

15 SCOTT BARNETT: So if --

16 LEENA VARUGHESE: So like --

17 SCOTT BARNETT: Listen, I'm perfectly -- I'm
 18 very happy because --

19 LEENA VARUGHESE: So this is like -- you
 20 know, this like with the hematology. And you know who
 21 responds to me? Adrienne. And what does she say? She
 22 says, I understand your concerns and I have spoken to
 23 Dr. Lento and he's in agreement with the following.
 24 First, you have x number of months of CPs, so you need
 25 this much this year. And then it says, very few

Colloquy

41

1 residents are actually completing this recommended
 2 rubric outlined in the program description that you
 3 have referenced. As long as residents are exposed to
 4 each service and Dr. Lento is confident you have a
 5 well-rounded CP rotation, then he goes off -- goes to
 6 sign off on your board applications, the requirements
 7 of the program have been satisfied. I mean, that's
 8 sort of a problem like because, you know, I know like
 9 Dr. Lento has the power to say that I have completed --

10 RAJ: And she's spoken to Dr. Firpo about
 11 this. There's no program objectives or -- you know,
 12 usually when, you know --

13 SCOTT BARNETT: No, he -- Firpo is putting it
 14 together because there weren't --

15 LEENA VARUGHESE: Well, there were program
 16 objectives. There were some, you know --

17 SCOTT BARNETT: It was very isolated.

18 LEENA VARUGHESE: There was like a hematology
 19 one but it says, you know, residents (indiscernible) in
 20 each case like, you know, what you're supposed to need
 21 --

22 RAJ: Cover and (indiscernible).

23 LEENA VARUGHESE: The report cover and need
 24 the --

25 SCOTT BARNETT: And none of this was there?

Colloquy

42

1 LEENA VARUGHESE: And that -- no, that was
 2 already there before. And, you know like --
 3

4 SCOTT BARNETT: It wasn't (indiscernible).
 That doesn't meet any standard.

5 LEENA VARUGHESE: -- that is sort the
 6 expectation of a resident when they come to this
 7 program, but that's not really like what, you know, is
 8 met. Like you could be here for like four years and
 9 never have like, you know, a month of hematology
 10 because, what, the program director feels like your
 11 training is met? Meanwhile, as a resident you feel
 12 like, well, you're not meeting that requirement
 13 because, you know, that's like your worst subject. You
 14 need exposure to that. Like based on my RICE
 15 (phonetic) scores, based on other evidence that I have,
 16 I know like I need exposure to certain rotations. And
 17 I cannot make time when I'm on a different rotation for
 18 that because like I'm studying something else and I'm
 19 trying to follow up on that, not focus on, you know,
 20 the other things. So I need that protected time. Like
 21 I need my 18 months of CP. Like Englewood is not
 22 necessarily CP. That's -- well --

23 SCOTT BARNETT: It's like you have it half
 24 the time.

25 LEENA VARUGHESE: It's like -- well, like 90

Colloquy

43

1 percent psychology, you know, some (indiscernible),
 2 which isn't very significant. And there's a lab there.
 3 You can like, you know, go to the lab. You know, it's
 4 not really like for you, you know, really do anything
 5 in the lab because it's, you know, most of the CP lab
 6 is automated. So, you know, you need like that
 7 required time that's protected to do CP. And, you
 8 know, I'm -- technically, I mean, I guess I'm doing 18
 9 months, quote, unquote, but in reality, I'm probably
 10 doing 17 months and then with the coverage for other AP
 11 rotations, et cetera, you know, I'm doing less than my
 12 required time.

13 SCOTT BARNETT: Well, part of the -- again,
 14 part of the problem is is that --

15 LEENA VARUGHESE: And we have like extra
 16 number of residents now. There's no reason -- like
 17 this rotation --

18 SCOTT BARNETT: Well, you don't have an extra
 19 number of residents. You were supposed to have extra
 20 residents but somebody's been out on a prolonged leave
 21 of absence. You're down to -- you have the same 22
 22 bodies -- warm bodies that you had before. You're
 23 supposed to have 24. You're still at the same 22 warm
 24 bodies. So that leeway doesn't exist as far as I know.
 25 Now, listen, I -- the program --

Colloquy

44

1 LEENA VARUGHESE: And then there is also my
 2 class had seven residents, maybe six now because one of
 3 the persons is only CP -- I mean, I'm sorry, only AP.
 4 So the issue is that like, you know, among my class, we
 5 have covered all the requirements -- major requirements
 6 instituted by the hospital and for the program in a big
 7 way, because there's like six or seven of us. There is
 8 no reason any single person in my class should not meet
 9 our requirement even as a class. Like, you know,
 10 (indiscernible) collective of the 22, but as a class we
 11 have met a lot of requirements. We had done a lot of
 12 extra work.

13 SCOTT BARNETT: It's not even a class. It's
 14 an individual trainee. You may not --

15 LEENA VARUGHESE: As Elmhurst (phonetic), we
 16 have done extra months of Elmhurst I know the other
 17 residents in the program have not done, like, you know,
 18 maybe they've done one month of Elmhurst but it wasn't
 19 --

20 SCOTT BARNETT: But Elmhurst is not even a
 21 rotation in the program.

22 LEENA VARUGHESE: Yeah, but last year I did
 23 like, you know, I did extra months.

24 SCOTT BARNETT: Again, the program wasn't --

25 LEENA VARUGHESE: See, the thing is when it

Colloquy

45

1 was happening --

2 SCOTT BARNETT: The program was crazy for the
 3 first two and a half years. It didn't make any sense.

4 LEENA VARUGHESE: Well, least year Dr. Lento
 5 took over and he had -- you know, they believed he
 6 could change the schedule, make the schedule as he
 7 wanted. You know, apparently Sam and Kruti made the
 8 schedule and Dr. Strauchen was still the program
 9 director when the schedule was made. I went to him
 10 because I didn't get anything that I had requested last
 11 year. And Dr. Strauchen actually made it a point to
 12 say that like, you know, make sure Leena gets x, y and
 13 z because I noticed that you guys made the schedule and
 14 she is not being given these rotations. And he made
 15 sure that I got certain rotations. Otherwise, I would
 16 not have had any of those rotations.

17 SCOTT BARNETT: That's the program director's
 18 job.

19 LEENA VARUGHESE: That was his job and he was
 20 doing the job. And, you know, I go to Dr. Lento with
 21 the same concerns --

22 SCOTT BARNETT: Take it from me, Strauchen
 23 had to go. You take it from me, he had to go.

24 LEENA VARUGHESE: Well, that's fine. I know,
 25 that's fine, that's fine. But I'm just saying like,

Colloquy

46

1 you know -- but I've been to Dr. Lento and I've tried
 2 to explain like what my concerns are and what my
 3 problems are, and what he does he like he doesn't --
 4 you know, he doesn't really like.

5 SCOTT BARNETT: No, listen, Pat has not
 6 embraced this responsibility to the extent that any of
 7 us would have liked. Pat's underwhelmed me with how --
 8 with his performance.

9 LEENA VARUGHESE: Well, the problem is like
 10 he confronts residents.

11 SCOTT BARNETT: Yeah, forget it. Don't worry
 12 about it.

13 LEENA VARUGHESE: And it's like really --
 14 it's like really intimidating.

15 SCOTT BARNETT: That's --

16 LEENA VARUGHESE: I mean, he's the program
 17 director. He can go onto --

18 SCOTT BARNETT: He's not going to be the
 19 program director for that much longer, don't worry
 20 about it. It's not -- it's going to change. But --
 21 and until then, I think it has to be Adolfo that you
 22 deal with. Again, I mean, it's the only way -- and I'm
 23 going to ask him with your permission -- when was the
 24 next time you're supposed to meet with him?

25 LEENA VARUGHESE: This Wednesday.

Colloquy

47

1 SCOTT BARNETT: Okay. That you laid out
 2 reasonable concerns about the content of your training,
 3 the -- there are things you feel your weakness is that
 4 you would like to address and that you would like the
 5 opportunity to discuss your training and that you need
 6 him -- because Dr. Lento has been very helpful in this
 7 regard. You need him -- you need Dr. Firpo to evaluate
 8 your training and try his best to rearrange the
 9 remainder of your training so that it gets you where
 10 you want to go. I also think that you should give
 11 serious consideration saying that it's possible that
 12 your perception of your interactions with him and
 13 others may not be exactly the same as the people you're
 14 dealing with, and that -- because I think you're
 15 beating your head against the same wall here, okay.
 16 You're -- I think -- yeah, I have not been at any of
 17 these meetings. It almost doesn't matter sometimes
 18 what you think is going on until other people perceive
 19 what is going on that is the issue. And that I think
 20 it's fair to say that there are -- still at this point
 21 there are people who don't perceive, as I said, the
 22 interactions you're having with them the same way you
 23 are.

24 And again, I've had to deal with this my
 25 whole career because sometimes I think I've toned down

Colloquy

48

1 the irreverence and the sarcasm to where even a normal
 2 human being could tolerate it and it's not the case.
 3 And people, you know, look at me like, what did you
 4 just say? I said, gee, I thought I -- in my mind I
 5 cleaned that up really well. It sounded like -- in my
 6 mind that was going to work. And people say -- look at
 7 me like, cut the goof ball act, Scott. You're almost
 8 59 years old, you know. And it's -- sometimes in the
 9 heat of wanting to get your point across or as you just
 10 -- it's not coming out the way you think it's coming
 11 out. It happens to everybody. And I think you -- it
 12 would be reasonable for you to think about whether
 13 that's the case. I'm telling you, I think they're
 14 perceiving it differently than you are. And it almost
 15 doesn't matter at this point since somebody is in
 16 charge and somebody is responsible and you're a trainee
 17 that if they're not getting it right, the burden of
 18 proof is on you to get it right, not on them to get it
 19 right. You're the one who's being -- you know, you're
 20 the one in this awkward position.

21 RAJ: That's true, but there's a power
 22 differential here. They can say whatever they want to
 23 say.

24 SCOTT BARNETT: It's a power differential
 25 every day in life.

Colloquy

49

1 RAJ: And if you're going to say someone is
 2 unprofessional -- if I'm going to say you're
 3 unprofessional, then I have to prove it, right?

4 SCOTT BARNETT: No, you just have to proof --

5 RAJ: She doesn't have to prove she's not
 6 unprofessional.

7 SCOTT BARNETT: Yes, you do because you do
 8 and I think you're wrong about that. I think I have to
 9 disagree with you. I think that you have to be --

10 RAJ: You're defending yourself against
 11 something -- you know, how do you defend yourself
 12 against a charge that you can't even put a finger on,
 13 you know?

14 SCOTT BARNETT: Well, I think some of it is --
 15 again, I think some of it is -- and you and I may
 16 (indiscernible) same thing is you're -- again, it may
 17 not be yelling, but I know people -- like there's a guy
 18 -- the guy who runs a surgical like critical care
 19 program -- training program -- three critical care
 20 programs, pulmonary critical care, medical critical
 21 care (indiscernible). I've known him a long time. I
 22 have never heard him raise his voice beyond this level,
 23 never. This is the way he talks and this is --

24 LEENA VARUGHESE: That's the way I used to
 25 be, too.

Colloquy

50

1 SCOTT BARNETT: Well, I mean, again, I sat
 2 with him in a meeting with another department. It was
 3 very heated. It was very contentious and
 4 (indiscernible). I'm not sure I agree with that. It
 5 was remarkable. I mean, I couldn't (indiscernible).

6 RAJ: That's his personality. We're all
 7 different personalities.

8 SCOTT BARNETT: However, when you have a
 9 personality that's a little excitable, it's not -- and
 10 again, I've dealt with this. Other people don't have
 11 to put up with your excitability. They don't. They're
 12 not obligated to. They're not obligated to.

13 RAJ: She just wants to be treated fairly.
 14 That's all --

15 SCOTT BARNETT: Okay, but I think you have to
 16 --

17 LEENA VARUGHESE: And I -- but, I mean, you
 18 know how to deal with personalities, but then here's
 19 the thing, sometimes you have to deal with people who
 20 go off on you. And, you know, I don't know how to put
 21 up with that either. Like, what's being done about
 22 that?

23 RAJ: She's entitled not to be verbally
 24 abused, physically intimidated, you know, demeaned
 25 publicly.

Colloquy

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1 SCOTT BARNETT: But, again --

2 LEENA VARUGHESE: Whether or not that's like
 3 corroborated or not.

4 SCOTT BARNETT: And again --

5 LEENA VARUGHESE: I mean, you know --

6 SCOTT BARNETT: That's again -- you see, if
 7 you raise an issue and it's investigated and people say
 8 it's not exactly the way you said, that doesn't mean
 9 they're wrong. That means that you're a little bit
 10 wrong and maybe they're a little bit wrong. But not
 11 everybody in the world is crazy. Not everybody in the
 12 world is crazy.

13 RAJ: She's not saying that.

14 SCOTT BARNETT: Well, no, you're basically
 15 saying that you said something, they didn't believe it
 16 but they're wrong. That's what you're saying. That's
 17 exactly what you're saying.

18 LEENA VARUGHESE: I didn't say that. I've
 19 been putting up with all this. I am not saying -- I
 20 mean, I am basically trying to work through this whole
 21 difficult situation. And I'm asking for empathy.

22 SCOTT BARNETT: Right.

23 LEENA VARUGHESE: And, you know, not to be
 24 alienated and further, you know --

25 SCOTT BARNETT: And again, my own personal

Colloquy

52

1 feeling is that the chairman and the director of
 2 education gave you that opportunity and there's a
 3 disagreement -- a little bit of a -- a lack of
 4 alignment the extent to which they believe you have
 5 taken advantage of that opportunity.

6 RAJ: Well, she was basically blind sided not
 7 meeting with Dr. Cordo with Dr. Lento and, you know --

8 SCOTT BARNETT: It doesn't --

9 LEENA VARUGHESE: Mr. Castaldi.

10 SCOTT BARNETT: Listen, it doesn't --

11 RAJ: Mr. Castaldi, three men
 12 (indiscernible).

13 SCOTT BARNETT: What do you think I've never
 14 -- you know, I've been at meetings all throughout my
 15 career --

16 RAJ: If that was your daughter, you wouldn't
 17 want that. That's not -- this is --

18 SCOTT BARNETT: No, you know what I'd tell my
 19 daughter, I'd say there's a hierarchy in this world and
 20 sometimes you get your ass screamed at.

21 RAJ: She acknowledges the hierarchy, but --

22 SCOTT BARNETT: But sometimes you get yelled
 23 at by your boss.

24 RAJ: But you have to defend yourself. If
 25 you hold a position, you cannot just -- you know, just

Colloquy

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1 say, oh, everybody is going to be right and I'm going
 2 to walk away. You would have to like --

3 SCOTT BARNETT: But you have to --

4 RAJ: You know, you have to stand up for what
 5 is right. You can't just, you know, bow down to, you
 6 know, to someone who is a higher rank than you. If
 7 they say something untrue, you're entitled to defend
 8 yourself, that's all.

9 SCOTT BARNETT: And but the extent -- and
 10 again, if the institution didn't offer you that
 11 opportunity, that's unfortunate. But, again, there are
 12 opportunities that you haven't taken advantage of. I
 13 don't know what your lawyer was telling you, but there
 14 were opportunities for due process that you didn't take
 15 advantage of. That's what the house affairs committee
 16 of the medical board is for, to hear your side of the
 17 story and determine whether you were treated unfairly
 18 and to say, sorry, pathology, you screwed this up. It
 19 doesn't sound right. Start from scratch. You didn't
 20 take --

21 RAJ: She tried to do that, too, but her
 22 lawyers advised her not to.

23 SCOTT BARNETT: Well, again -- but, again, if
 24 you don't take advantage of the due process, then you
 25 can't just say, well, the due process would have found

Colloquy

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1 this anyway. It's a self-fulfilling prophesy.
 2 RAJ: Yeah.

3 SCOTT BARNETT: Either you let the system
 4 work itself out or you don't. The fact that you didn't
 5 take advantage of that for whatever reason the lawyer
 6 had, and maybe it was a good one and maybe it wasn't.
 7 I don't know enough about it. And maybe there's a
 8 bigger picture he's trying to think of. The fact is is
 9 that just like you're in a certain position, I am, too.
 10 I report to lots of people and if they think -- it
 11 almost doesn't matter if they think I'm not doing a
 12 good job if I think I am because they're the guys who
 13 pay my salary, right? And if -- and I got an email
 14 from the dean of the medical school a few weeks ago on
 15 a Saturday. I thought I was going to die. He was -- I
 16 mean, I can just hear the -- it was like, Scott, you --
 17 essentially, Scott, you moron, why did you do that?
 18 That was the tone of the email. He didn't come out and
 19 say it, but that was the exact email from my boss,
 20 right? Now, what am I supposed to do, right? Go to
 21 the board of trustees and take (indiscernible). The
 22 guy is my boss.

23 RAJ: That's true.

24 SCOTT BARNETT: And if I don't like want to -
 25 - if I don't like my boss, I get a new job. You're not

Colloquy

55

1 in that position. You're in a training program. And
 2 when I was in a training program, I was in the same
 3 way, you know. You're in an awkward position in your
 4 life. You're in a very dependent position. And when
 5 you're finished your training, you will always have
 6 bosses. You're not in an independent state. If you
 7 want to -- you know, that's not what pathologists do.
 8 You can't work in your little office doing your own
 9 thing like a pediatrician, you know. And if -- and
 10 that's why a lot of people don't work in institutions
 11 like this, because it's a big hierarchy and you have to
 12 deal with a million people. They just want to go to
 13 their office and do their thing and they don't want
 14 anybody to tell them what to do, all right. That's
 15 part of -- the fact that I work here at Mount Sinai in
 16 a place with 15,000 people and a lot of high powered
 17 personnel in pediatrics means that every once in a while I'm
 18 going to get my ass kicked by somebody either below me
 19 or above me. And my job is to count to 50 and figure
 20 out how to make a mess of this difficult situation.

21 RAJ: But being a resident, you know, she's
 22 \$200,000 in debt. She is -- just wants to do her work
 23 and get out -- you know, get out and go to work, you
 24 know.

25 SCOTT BARNETT: And again --

Colloquy

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1 RAJ: And, you know, like --
 2 SCOTT BARNETT: And I --
 3 LEENA VARUGHESE: Yeah, it's --
 4 RAJ: It's a difficult position. If you
 5 charge someone as being unprofessional, then you have
 6 to have a serious charge and defend that charge because
 7 that's -- you just can't come out --
 8 SCOTT BARNETT: Listen --
 9 RAJ: -- you know, I feel this way, you know
 10 --
 11 SCOTT BARNETT: -- if -- all I could do --
 12 RAJ: I don't have a good feeling when I see
 13 you, you know, that doesn't work.
 14 SCOTT BARNETT: Again --
 15 RAJ: That's not right. That's not the way
 16 it should be. And she's appealing to you to intervene
 17 at this point and I think --
 18 SCOTT BARNETT: Listen, I disagree with both
 19 of you. I think that if you've thought about every
 20 single interaction you've had with every single person
 21 in that department --
 22 RAJ: It's not every single person.
 23 SCOTT BARNETT: It doesn't matter.
 24 RAJ: She has great interactions with a lot
 25 of people, but these are the people that are in place

Colloquy

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1 of, you know, determining whether professionalism is
 2 there or not, you know, and it's not right that they,
 3 you know --
 4 SCOTT BARNETT: There are -- listen, I think
 5 you're just wrong about this. There are -- somebody --
 6 there are people in this world who act
 7 unprofessionally, right? That's just a core
 8 competency. There are individual evaluations in your
 9 training file, lots of them, that hint at problems in
 10 that particular competence. It was -- the department
 11 is obligated to do something about it. And academic
 12 advisement is a nonformal process and it's not reported
 13 to anybody. It's the lowest stage. We have these
 14 concerns. This is where we want you to get over them.
 15 And if you get over them, great. That's -- I mean,
 16 again --

17 LEENA VARUGHESE: Yeah, but it was one thing
 18 if that was the case and they said, okay, we're putting
 19 you on academic advisement before the whole thing with
 20 Sam happened. But, you know, we're concerned because
 21 we feel like you are being unprofessional here, here
 22 and here and they said the reason we feel that way,
 23 fine. But then, since like what had happened where,
 24 you know, I feel like I was harassed and attacked, and
 25 then I was put on academic advisement. I tried -- I

Colloquy

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1 met the requirements in the sense that I, you know,
 2 wrote that reflection. I read the book.

3 SCOTT BARNETT: You know, maybe you're being
 4 a little disingenuous here.

5 LEENA VARUGHESE: I tried to keep in touch
 6 with --

7 SCOTT BARNETT: That first reflection was not
 8 a reflection. It was a diatribe. I read it.

9 LEENA VARUGHESE: Yeah, that's exactly --
 10 that's the other thing, this whole word diatribe. You
 11 know --

12 SCOTT BARNETT: It was exactly what it was,
 13 Leena. It was -- again, if one of my kids were to read
 14 that, I would have screamed at them, how dare you write
 15 that? How dare you write that? It was one-sided. It
 16 was not an attempt in any way to address the program's
 17 concerned. It was a rehashing of issues that they were
 18 trying to put behind you. And it was not -- my mind
 19 that was not a good faith attempt to do what they were
 20 asking you to do. And, basically, you got pissed off
 21 and you just threw some shit against the wall and hoped
 22 it would stick. That's what it was.

23 LEENA VARUGHESE: No.

24 SCOTT BARNETT: And again, you are --

25 RAJ: That was her perception of the events

Colloquy

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1 that had happened and the tone was confrontational
 2 because --

3 SCOTT BARNETT: But you don't --

4 RAJ: -- she's defending herself against a
 5 ridiculous charge.

6 SCOTT BARNETT: But that was the wrong way to
 7 go about it.

8 RAJ: It was the wrong way. I -- you know,
 9 that's the wrong tone to have, but --

10 SCOTT BARNETT: Again, there's bosses and
 11 there's underlings. And if your boss tells you to
 12 write a confession, even if you think it's the
 13 stupidest thing you ever did in your life, say, okay,
 14 boss, I've thought about this and I -- while I might
 15 not have initially --

16 RAJ: Well, that's the strange thing, she
 17 complained about being, you know, verbally yelled out
 18 and like the guy came to her nose --

19 LEENA VARUGHESE: Publicly humiliated.

20 RAJ: -- and then she felt physically
 21 threatened. And then she was asked to write a
 22 reflection about her fault in that matter.

23 SCOTT BARNETT: I'm telling you, that --

24 LEENA VARUGHESE: Yeah.

25 RAJ: That's like, you know --

Colloquy

60

1 SCOTT BARNETT: That was investigated and
 2 your side of the story was not upheld. It wasn't
 3 upheld.

4 LEENA VARUGHESE: So why --

5 RAJ: Well, that might be, but that --

6 LEENA VARUGHESE: My side of the story was
 7 upheld then.

8 RAJ: That may not be the truth, you know.

9 LEENA VARUGHESE: Yeah, well, it was upheld.

10 SCOTT BARNETT: It doesn't -- you were
 11 talking --

12 LEENA VARUGHESE: What was corroborated then?

13 SCOTT BARNETT: I don't know. I didn't do
 14 the investigation, but your side of the story was not
 15 upheld. It was --

16 LEENA VARUGHESE: What was corroborated then?

17 SCOTT BARNETT: I -- it's not up to me to
 18 answer that question. I didn't do the investigation.
 19 It was investigated. Nobody -- one side of the story
 20 was not --

21 RAJ: Just because the investigation came to
 22 a complete --

23 LEENA VARUGHESE: So it's just like your side
 24 does that -- you know, it's like nobody, you know, is
 25 up-front or clear. I mean, I know I work in a

Colloquy

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1 hierarchy and, you know, I don't -- you know, I'm not
 2 the boss, but I do have rights and like --

3 SCOTT BARNETT: You have rights and so you
 4 tried.

5 LEENA VARUGHESE: And people just like say,
 6 oh, you know --

7 SCOTT BARNETT: You went to human resources.
 8 They didn't uphold your interpretation of the events.
 9 If you had a problem with that, you had other options.

10 LEENA VARUGHESE: But they upheld the other
 11 interpretation of things?

12 SCOTT BARNETT: I think that's -- I don't
 13 know what they upheld. I didn't do the investigation
 14 and nor am I responsible --

15 LEENA VARUGHESE: So that's --

16 SCOTT BARNETT: -- to do their investigation.

17 LEENA VARUGHESE: That's the thing. Then it
 18 just keeps getting out of --

19 SCOTT BARNETT: Listen, the person who runs
 20 HR in this hospital is a phenomenally talented woman
 21 who is in my mind extraordinary fair, and I've had
 22 nothing but wonderful dealings with her in the entire
 23 time I've known her. If she said she did an
 24 investigation and she couldn't corroborate your side of
 25 the story, I believe her. I have no reason not to

Colloquy

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1 because every time I've dealt with her, she's been
 2 fair, above board and effective in what she does. I'm
 3 not going to -- she doesn't report to me. She doesn't
 4 work for me. I have no right to say, what did you
 5 find? She did her investigation and she was satisfied
 6 with it.

7 RAJ: And then Leena is at fault. Was the
 8 other person held to academic advisement as well? You
 9 know, like they're just coming after her for --

10 SCOTT BARNETT: It was not found that the
 11 other person acted unprofessionally. What do you want
 12 me to do? Leena's story was not corroborated.

13 LEENA VARUGHESE: No, it wasn't that --

14 SCOTT BARNETT: Nobody upheld her story.

15 LEENA VARUGHESE: That's not true. I --

16 SCOTT BARNETT: They're not going to -- it's
 17 not like, okay, we don't understand either of you.
 18 You're both going on advisement.

19 RAJ: Well, she's the person that --

20 LEENA VARUGHESE: And there was --

21 RAJ: -- is at a lower level.

22 LEENA VARUGHESE: Yeah.

23 RAJ: So, you know --

24 LEENA VARUGHESE: And actually --

25 SCOTT BARNETT: Wait a second --

Colloquy

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1 LEENA VARUGHESE: It doesn't matter. I was
 2 put on academic advisement before even there was an
 3 investigation. I actually -- that was the department's
 4 course of action. I actually emailed HR after the
 5 department's course of action because I felt like I was
 6 being treated unfairly and what my concerns were.

7 SCOTT BARNETT: The department also
 8 investigated it and the (indiscernible) corroborated.

9 LEENA VARUGHESE: Yeah, and the department,
 10 that's the conclusion they came to. So do you think HR
 11 is going to come to a different conclusion?

12 SCOTT BARNETT: Yes, HR is independent of the
 13 department. The (indiscernible) of HR reports to the
 14 dean of the medical school. She doesn't care about me.
 15 She doesn't care about a department chairman. Her boss
 16 is the dean of the medical school and he -- and her job
 17 is to make sure that this was handled correctly.
 18 Otherwise, the dean is going to yell at her. The same
 19 guy yelled at me is going to yell at her. And she --
 20 and if she says it's true, then the dean will believe
 21 her 100 percent and not even talk to a chairman about
 22 it. Sorry, dude, it was investigated. You're wrong,
 23 shut up. That's exactly what he would do, because
 24 that's -- he trusts her completely. She reports
 25 directly to the dean, not to a chairman, not to

Colloquy

64

1 anybody. She has unlimited authority to handle these
 2 situations because she's proven she can do it. And if
 3 she said -- if she couldn't corroborated your story, it
 4 wasn't corroboratable (phonetic). And it doesn't
 5 matter whether you're above or -- they didn't take --

6 LEENA VARUGHESE: Well, what they said was
 7 they felt like Sam didn't -- Sam feels like he didn't
 8 do anything wrong.

9 SCOTT BARNETT: If Sam -- no, who gives a
 10 shit about Sam? If Sam fucked up they would have
 11 slapped him around, too. Nobody cares about it. We
 12 have -- we could put every one of -- every single one
 13 of you 16 hundred house officers on academic advisement
 14 at the same time, who cares? Everybody who is on
 15 academic advisement is going to be on academic
 16 advisement. It's not a quota system. Everybody who
 17 needs it, gets it. Everybody who deserves it, gets it.
 18 If Sam needed it, he would have gone on it. It's not
 19 like we've got one per department and you're it. It's
 20 just not the way it is. If Sam -- if it was felt by
 21 the department and the people investigating that Sam
 22 needed to be straightened out, he would have gotten
 23 straightened out. Whether he's a sociopath that he was
 24 able to convince people there's something that never
 25 happened, I couldn't tell you. But it would have been

Colloquy

65

1 -- nobody would have cared if the both of you would
 2 have wound up on academic advisement.

3 RAJ: Yeah, but she just feels she's being
 4 untreated -- you know, not treated fairly, so and --

5 SCOTT BARNETT: Well, I'm not sure I agree
 6 with you. I just don't agree with you. I think that
 7 this is a very difficult situation, that even to this
 8 point there are still things you could do better to
 9 convince the department that you are meeting its
 10 expectations. And they're the ones who set the
 11 expectations, all right. They're the ones you have to
 12 convince. And even if you don't love them and you
 13 don't -- you wouldn't want to go out to dinner with
 14 them, they're still your bosses. And just like I don't
 15 socialize with the dean of the medical school. He's
 16 not my friend, he's my boss, right? And in the best of
 17 all worlds, every house officer would want to name
 18 their child after their program director, all right.

19 I'm still -- except for the last year I was
 20 program director where I sort of burnt out, there are
 21 well over 200 people that graduated from our program
 22 here at Sinai that consider me the person who taught
 23 them everything they know in pediatrics. And I adore
 24 them and they adore me. In the best of all worlds,
 25 that's the way it would be. Your department's got a

Colloquy

66

1 way to go before we can get to there. And, again, I
 2 don't know how any of you people wound up here. I
 3 wouldn't have come here if they paid me a million
 4 dollars a year as a trainee, especially when you
 5 started. I don't understand how, you know --

6 RAJ: Even Dr. Kenneth Kline (phonetic) who
 7 was, you know, our medical school's program director in
 8 pathology, warned her not to come here.

9 SCOTT BARNETT: Well --

10 RAJ: But she was a student here. She did
 11 research here and she, you know --

12 SCOTT BARNETT: Well, listen, I'm -- but I
 13 think it is realities to the world. Realities to the
 14 world is that there's always somebody who has more
 15 power than somebody else, right? And pretending that
 16 doesn't exist or it's not fair, it's fair because
 17 that's the way the world works.

18 RAJ: There should be some level we -- you
 19 know, that's a given, but there should be some baseline
 20 level. You shouldn't be constantly harassed and
 21 harangued for every little thing that you want, you
 22 know.

23 SCOTT BARNETT: Again, there -- I -- this
 24 business about these rotations and stuff like that,
 25 again, the details elude me. I don't know enough of

Colloquy

67

1 that nor do I really want to. I do think that every
 2 program director and every department should make a
 3 good faith effort to make sure that each individual
 4 trainee gets the training they need to make them the
 5 best possible pathologist, pediatrician, vascular
 6 surgeon that they can be. You know, they walk out of
 7 here and they're ready to rock and roll. And I think
 8 the department should do that for you. And when you
 9 meet with Adolfo on Wednesday, I think you should have
 10 a calm, collegial discussion about all the issues that
 11 concern you, the rest of your training, this rotation,
 12 the fact that you believe that your request to do these
 13 rotations is not arbitrary, that the last thing you
 14 need in the world is two more months of microbiology,
 15 done that -- been there, done that. There's much
 16 better time -- there's much better use of the rest of
 17 your training to do that.

18 And the other part of this is, to the extent
 19 that you're willing to do is to say, listen, I think
 20 we're still not meeting eye to eye here about this
 21 professionalism thing, and that to the extent that in
 22 any way I have led you to believe that I am not 180
 23 percent committed to being the most collegial resident
 24 and the best team player, I apologize. That is not my
 25 intent. This has been a very difficult time for me.

Colloquy

68

1 This has been a little bit harder to work through than
 2 I thought. And if I've raised my voice to you or even
 3 if I -- you know, you perceived this in a different way
 4 that I have, I am very sorry. Again, it almost doesn't
 5 matter -- if you're having a difficult time -- again,
 6 some people say -- well, if you said, listen, sweetie,
 7 I think -- and you say, well, how can you talk to me
 8 that way? Well, that person is an idiot, okay. If you
 9 try to be nice and you -- everybody in the world said,
 10 well, you're nice, and they -- but there were -- I'm
 11 telling you there were -- one of these sessions you had
 12 with Firpo, people came out of their office and said,
 13 what was that all about? She was talking really loud.
 14 So, again, if other people perceived it as there being
 15 a little bit more than they're used to hearing, you
 16 have to accept the fact that it was. You just -- you
 17 have to accept that. And again, you may not like it
 18 and you may not understand why people don't or they
 19 just chill out and deal with the fact that -- accept
 20 the fact that I'm a little agitated and I'm blowing off
 21 a little steam here, but, you know, I mean, again, I
 22 have --

23 LEENA VARUGHESE: I wasn't blowing off any
 24 steam.

25 SCOTT BARNETT: People -- whatever --

Colloquy

69

1 LEENA VARUGHESE: I was talking in a higher
 2 level or --

3 SCOTT BARNETT: Is was enough --

4 LEENA VARUGHESE: -- decibel, but I was not
 5 angry. I wasn't screaming or --

6 SCOTT BARNETT: It doesn't -- it almost
 7 doesn't matter what you say. If you scream -- if I
 8 scream at my wife who puts up with me until I say,
 9 you're the best wife I ever had, and I'm screaming at
 10 her, she's going to yell at me. So if you want to give
 11 me a compliment, how about you do it without screaming
 12 at me?

13 RAJ: Yeah.

14 SCOTT BARNETT: Sometimes it's just style.

15 RAJ: Yeah.

16 SCOTT BARNETT: Style is what people
 17 perceive. It's they lose track of the words because of
 18 the manner in which you are imparting --

19 RAJ: Right.

20 SCOTT BARNETT: Right? So -- and it's
 21 difficult to do. I told you, I have the same problem
 22 again, but I'm in a position in my life where if I
 23 don't -- I can't -- I get phone calls from trustees who
 24 want to do this and it's stupid. And I want to just
 25 say, listen, I can't believe you're like a billionaire.

Colloquy

70

1 You're the dumbest bozo I ever met. I can't do that.
 2 There are so many times I want to yell -- I want to
 3 answer the dean back when he says something
 4 (indiscernible). I can't do it. I -- you know, you
 5 just can't. And I'm not saying it's easy. I'm much
 6 older than you are. It's taken me a long, long, long
 7 time to get even to the level of the behavior I have
 8 now, which most people would consider having a fault.
 9 They would say, you've really got some style there.
 10 You know, I do say things to the dean that people say,
 11 how did you get away with that? They're like mostly
 12 (indiscernible). But, again, I'm going to be 59 next
 13 month and I've been here -- it's my 24th year.
 14 Everybody knows me. But this is only your fourth year
 15 here. You've got a long way to go before people are
 16 used to your shtick, all right?

17 And, again, sometimes -- and sometimes I know
 18 I say, listen, there's a line beyond which I -- I can't
 19 -- I just can't be totally normal. I have to be
 20 irreverent. I'm going to be sarcastic. And there's
 21 some level where I won't go and I know -- but I know
 22 that there are people that are going to get pissed off
 23 and they're not going to understand me. But I say,
 24 well, if they don't understand me, it's okay because
 25 they probably don't have a sense of humor. They don't

Colloquy

71

1 understand sarcasm. If there are -- I'm willing to
 2 accept that there are a percentage of people I know who
 3 don't get me. But I also understand that if I do it to
 4 the wrong person, I can't get -- it's a fine line,
 5 right? And it's something that as you go through your
 6 life, you have to say, well, what -- where's the line?
 7 What's the line I could deal with? And you have to
 8 sort of work within (indiscernible).

9 RAJ: Yeah.

10 SCOTT BARNETT: And I -- you know, again, I
 11 think Adolfo is the key here. He's the guy who is
 12 making -- going to make the determination whether you
 13 have worked -- had been working with him sincerely and
 14 faithfully to address the (indiscernible) going to move
 15 successfully past all of this. And on Wednesday if you
 16 go in there as contrite as you can manage and say,
 17 listen, I think you have to -- it's important for us to
 18 be on the right foot. I think it would be helpful to
 19 me if you understood how difficult this has been and
 20 how stressful this has been and how -- and that I do
 21 accept the fact that I might not have in every
 22 interaction done it in a way that people were
 23 comfortable with, but I am trying my best. I really
 24 want to make this work. I really want to be
 25 successful. I want to be a great pathologist. And I

Colloquy

72

1 just -- you and I have -- please let me know how I'm
 2 doing and what I need to do to continue to prove to you
 3 that I am the kind of person that I feel I am. I just
 4 -- show me that's --

5 RAJ: That's a good way, Leena, so, yeah.
 6 SCOTT BARNETT: And that's the bottom line.
 7 And if somebody takes that and is unfair to you, that
 8 would cross the threshold to me --

9 RAJ: Yeah.

10 SCOTT BARNETT: -- of being unreasonable,
 11 because I think that's as reasonable as you can be.
 12 Yeah, you don't have to say, you know -- yeah, you've
 13 been under a lot of pressure. This has been difficult.
 14 And I've -- again, my -- each of my three boys has been
 15 through difficult stuff in their life and it wasn't
 16 easy. There was a -- my son came this close to losing
 17 his job last year. He did -- I mean, and three years
 18 before that, he did something so dopey you could hear
 19 me screaming at him over the telephone from the next
 20 state. I said, why are you -- why -- he said, dad,
 21 calm down, you're going to have a stroke. I said, what
 22 were you thinking? He said, I don't know what I was
 23 thinking. I have no idea what I was thinking when I
 24 did that. He said, but I -- but -- and the next day he
 25 met with his -- with the person involved and they got -

Colloquy

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1 - and he apologized and he asked for their forgiveness
 2 and they put it there.

3 But he -- it was -- I thought I was going to
 4 die. I thought -- I couldn't believe I was so angry
 5 with him and so -- you know, but -- you know, and our
 6 little -- my youngest one got arrested when he was 17
 7 years old. He got arrested, my son. He got arrested.
 8 And I asked him, what were you thinking? He said, they
 9 were in a park and there was -- him and his friend Rob
 10 and there was a (indiscernible) quarter in it. There's
 11 not a person for ten blocks, he said. So what does he
 12 do? And this park is next to the police station. So
 13 he starts walking away with the bag. He gets to the
 14 edge of the park. He said, what am I doing? Let me
 15 bring this to the police station. And he -- and the
 16 person whose bag it was, the police officer said,
 17 that's the -- that's my bag. And the officer said,
 18 where were you going? They thought he was stealing it
 19 and he got arrested.

20 RAJ: That's an accident. Yeah, he was just
 21 -- he was --

22 SCOTT BARNETT: Well, he was 17. He should
 23 have gone --

24 RAJ: Yeah.

25 SCOTT BARNETT: -- right to the police

Colloquy

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1 station. He actually started to walk out of the park
 2 with it and he -- it was clear if he would have taken
 3 it from where it was on the bench to the police
 4 station, he wouldn't have taken that route. So it was
 5 clear that he had done the wrong thing.

6 RAJ: He's a young kid, you know.

7 SCOTT BARNETT: Yeah, but he did the -- I
 8 mean, so how -- my wife and I have dealt with plenty of
 9 stuff. Shit happens. Not everything works out the way
 10 you want it to work out, but the idea is to move past
 11 it. Learn from it and some -- and again, there are
 12 just some times in your life you're going to say,
 13 listen, I think I'm doing this the right way and I
 14 think they're wrong, but they're the boss and I've just
 15 got to suck it up.

16 RAJ: Right.

17 SCOTT BARNETT: You know, so -- right? So
 18 right now, if I understand you, you're on probation,
 19 right? You did not take advantage of the fact that you
 20 had due process because the lawyer told you not to.

21 LEENA VARUGHESE: No, I'm on disciplinary
 22 action.

23 SCOTT BARNETT: Well, that's called
 24 probation. If you're on disciplinary action, that's
 25 called probation.

Colloquy

75

1 LEENA VARUGHESE: Just before I went on
 2 vacation.

3 SCOTT BARNETT: Right. Well, yeah, I mean --
 4 LEENA VARUGHESE: It was a -- it was written
 5 --

6 SCOTT BARNETT: -- the timing of it and all
 7 that stuff, that was --

8 LEENA VARUGHESE: The letter was written by
 9 Dr. Lento --

10 SCOTT BARNETT: Yeah, I know. I saw that
 11 letter.

12 LEENA VARUGHESE: -- who (indiscernible).

13 SCOTT BARNETT: They --

14 LEENA VARUGHESE: Then it's signed by Dr.
 15 Cordon-Cardo, who is the chairman of the department.

16 SCOTT BARNETT: But the chairman of the
 17 department outranks the -- there are departments where
 18 the chairman of the department is the program director.

19 LEENA VARUGHESE: This is ridiculous. Like
 20 why doesn't the program director just sign the letter?

21 SCOTT BARNETT: That's --

22 LEENA VARUGHESE: This is -- no, this is not
 23 minor issues. These are like major points. These are
 24 --

25 SCOTT BARNETT: But they're not important at

Colloquy

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1 all because it wouldn't have mattered, because if that
 2 was your only objection to the due process, it wouldn't
 3 have been upheld, because it would not have been
 4 upheld. I'm telling you. I know the way they work.
 5 They only care about the issues that underlie it, the
 6 technical aspect. If they wouldn't have given you the
 7 letter at all, that's one thing. If they wouldn't have
 8 offered you due process in the letter, that's another
 9 thing. The fact that the program director did or
 10 didn't sign or the date was wrong, they would have
 11 restarted the clock. The technical issues were not the
 12 deciding issue. Again, it's probably just more
 13 indicative of a bit of disarray in the department more
 14 than anything else. In fact, there's no way to know
 15 because you didn't --

16 RAJ: The program director --

17 LEENA VARUGHESE: Maybe it's a problem with
 18 the disarray or whatever in the department, but this is
 19 like, you know, they keep dragging me back into this.
 20 I mean, what do you -- like, that's it, enough is
 21 enough. Like this is getting out of control.

22 SCOTT BARNETT: You're missing again --
 23 you're missing the point. I think that you have to
 24 accept the fact that some of your behaviors are
 25 allowing them to drag you back into it. You're not --

Colloquy

77

1 neither party in any dispute is completely guilty or
 2 completely innocent. There are things that they could
 3 do better, and I believe that there are things that you
 4 could do better as well. It's not that -- when I was
 5 working at Elmhurst in the 80's, my boss who is still
 6 the director at Elmhurst, Mel Gerdner (phonetic),
 7 called me into my office and said -- he said, Scott, I
 8 have four words for you, gray is a color. You can go
 9 now. That's all he said, gray is a color. I'm a black
 10 -- I was always a black and white kind of guy. And,
 11 you know, nothing is black and white. It's all shades
 12 of gray.

13 LEENA VARUGHESE: I'm not black and white.

14 SCOTT BARNETT: Well, again --

15 LEENA VARUGHESE: at all. In fact, I'm --

16 SCOTT BARNETT: Again, I think you are, they
 17 keep dragging me through this. They keep doing this.
 18 They keep doing that. The fact -- it's not all they.
 19 It's not all you. Somewhere in the middle is the
 20 truth.

21 LEENA VARUGHESE: Somewhere in the middle is
 22 a power differential --

23 SCOTT BARNETT: Leena --

24 LEENA VARUGHESE: -- which can like --

25 SCOTT BARNETT: -- I can't spend an hour and

Colloquy

78

1 a half talking to you and go back to this --

2 LEENA VARUGHESE: Okay, fine, but I have
3 several points that I want to --

4 SCOTT BARNETT: That's not going to happen.

5 LEENA VARUGHESE: I have several points that
6 I needed to actually get through at this meeting. So,
7 you know, and then there is this perception out there
8 that I'm very unprofessional, but, in fact, you know, I
9 have done my job quite well. I helped out a resident
10 who was on call.

11 SCOTT BARNETT: Convince Adolfo Firpo that
12 you're professional.

13 LEENA VARUGHESE: Autopsies. Meanwhile, the
14 chief resident who is supposed to be at the hospital
15 working is never there.

16 SCOTT BARNETT: It's not your problem.

17 LEENA VARUGHESE: That's the problem because
18 --

19 SCOTT BARNETT: It's not our system of
20 relativity, it's yours. If the chief resident needs to
21 be put on discipline, they'll go on discipline.

22 LEENA VARUGHESE: But nobody will. See,
23 that's the thing, I'm the only person who will like,
24 you know --

25 SCOTT BARNETT: Leena, I'm telling you that's

Colloquy

79

1 not the case. If we had to put all 22 of you bozos on
2 academic advisement, we'd put all 22 of you on. It's
3 not -- there's no limit on these things. It's not a
4 lottery ticket, all right. If ever --

5 LEENA VARUGHESE: It's not, but like I've
6 been treated so unfairly, I couldn't like look at my
7 folder last year. My boss --

8 SCOTT BARNETT: You could look at it, but you
9 couldn't copy it. You wanted to copy it.

10 LEENA VARUGHESE: No, I didn't want to copy
11 it. I just want to look at the folder.

12 SCOTT BARNETT: You're entitled to look at
13 the folder tomorrow.

14 LEENA VARUGHESE: No, but I wasn't allowed
15 to.

16 SCOTT BARNETT: You can do it tomorrow.
17 Tomorrow you can go in there and look at it under
18 supervision.

19 LEENA VARUGHESE: No.

20 RAJ: She can do it tomorrow because she was
21 not allowed to, yeah. They said --

22 SCOTT BARNETT: Every house officer is
23 allowed to look but not take under appropriate -- to
24 make sure nothing is --

25 LEENA VARUGHESE: I didn't want to copy

Colloquy

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1 anything. I just wanted to look at the folder.
 2

3 SCOTT BARNETT: You can ask -- if you wish to
 4 do that on Wednesday during your meeting, you can email
 5 him, say you spoke to Scott Barnett, that in accordance
 6 with institutional policy, you would like to look at
 7 your folder. And if they say, okay, it's going to be
 8 in this room with me sitting over there, that's okay.
 9 They're entitled to monitor your looking at it but
 10 you're entitled to look at your folder.

11 LEENA VARUGHESE: And then like all those
 12 evaluations that I complete under new innovations never
 13 show up in new innovations anymore. So I don't even
 14 know like --

15 SCOTT BARNETT: Your evaluations of whom?

16 LEENA VARUGHESE: Like if I were to evaluate
 17 the program or rotation.

18 SCOTT BARNETT: You can't see those. No one
 19 sees them. They disappear.

20 LEENA VARUGHESE: Why can't I see them?

21 SCOTT BARNETT: You're not allowed to see
 22 them. They go into -- once they're completed, they're
 23 put in that bin. You don't get a chance to see them.
 24 It says right on it, once you sign it you have no
 25 further right to look at it or -- it's on every single
 evaluation. That's the way the system works.

Colloquy

81

1 LEENA VARUGHESE: But I think other residents
 2 can look at it.

3 SCOTT BARNETT: That is not the case. If
 4 it's the case, I want to know about it. Once you --
 5 once that sails off, you don't have the right to see it
 6 anymore. That's why you're not supposed to finalize it
 7 until you're ready to send it. It goes off -- if you
 8 write an evaluation of Pat Lento, it goes into Pat
 9 Lento's file. You don't get a chance to see --

10 LEENA VARUGHESE: Yeah, well, you know, like
 11 everything is like all this like last year when Sam
 12 first went off on me after the CP conference, I went
 13 and talked to Dr. Lento about this. He basically
 14 interrogated me on why -- when I was on call assessment
 15 didn't get sent to flow cytometry for an hour, okay.
 16 Why didn't it get sent to flow --

17 RAJ: We don't need to go back to all that
 18 stuff.

19 LEENA VARUGHESE: Why didn't it get sent to
 20 flow cytometry? Because the hospital didn't inform all
 21 the clinicians.

22 SCOTT BARNETT: That's water under the
 23 bridge.

24 RAJ: Yeah.

25 LEENA VARUGHESE: Yeah, but then he -- you

Colloquy

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1 know, I -- he wouldn't discuss the whole incident with
 2 Sam. And he's like, oh, I'll speak to him. And then
 3 he said, oh, well, you know, that's too bad because why
 4 would you write a diatribe of an evaluation against
 5 surgical pathology rotation here? Okay, so I sent
 6 those evaluations to other residents in the program and
 7 they were like, this is not a diatribe at all. This is
 8 in fact the fact of the matter. There is no reason --

9 SCOTT BARNETT: If there's a person -- you
 10 can write whatever you want.

11 LEENA VARUGHESE: There is no reason you
 12 should not be allowed to write an evaluation as per the
 13 program director.

14 SCOTT BARNETT: You can write whatever you
 15 want as long as it's professional.

16 LEENA VARUGHESE: And then the same program
 17 director continues to like put me on, you know,
 18 academic advisement.--

19 SCOTT BARNETT: That's not a (indiscernible)
 20 --

21 LEENA VARUGHESE: -- probation.

22 SCOTT BARNETT: You're on academic
 23 advisement. It's just you've got to get out --

24 LEENA VARUGHESE: But that's all part of the
 25 negative attitude towards me. That's what I am trying

Colloquy

83

1 to tell you. Like it's just like --

2 SCOTT BARNETT: Listen, you can -- I think
 3 you're never going to convince me of it. You're not
 4 going to convince me that there is a vendetta against
 5 you. You're not going to convince me. It's not going
 6 to happen.

7 LEENA VARUGHESE: Then the -- having to go
 8 see Dr. Fersh as per physician wellness committee.

9 RAJ: Yeah, a drug test. You know, they --
 10 you know --

11 LEENA VARUGHESE: Drug -- okay, fine.

12 RAJ: -- have to take a drug test.

13 LEENA VARUGHESE: I don't mind taking a drug
 14 test and all that. I want to prove that --

15 SCOTT BARNETT: That's a -- what do you think
 16 this is, a kindergarten? If anybody had concerns about
 17 your performance, they're obligated to send you to
 18 wellness and get a drug test. That's the -- you don't
 19 want to do it? Quit. That's the institutional policy.

20 LEENA VARUGHESE: See, that's the -- that is
 21 --

22 SCOTT BARNETT: That's the institutional
 23 policy. If somebody thought that I was -- if somebody
 24 --

25 RAJ: But she did it. She did everything.

Colloquy

84

1 SCOTT BARNETT: And that's your obligation.
 2 If you don't comply with wellness, you get fired on the
 3 spot. If somebody said to me, Scott, I have concerns
 4 about your performance, you're acting erratically, I
 5 want you to go (indiscernible) today, if I didn't show
 6 up, I get fired on the spot.

7 RAJ: That's true. I mean, you know --

8 SCOTT BARNETT: That's just hospital --
 9 that's institutional policy.

10 RAJ: That's fine, but what did she do that
 11 it merited that?

12 SCOTT BARNETT: It doesn't matter.

13 RAJ: You know like --

14 SCOTT BARNETT: It doesn't matter. Again,
 15 you're trying to make -- you're trying to wrap this
 16 into something it's not. It doesn't matter.

17 LEENA VARUGHESE: But that's what it is.

18 SCOTT BARNETT: In your opinion, that's fine.
 19 It should -- you have your opinion.

20 LEENA VARUGHESE: It's not in my opinion.

21 SCOTT BARNETT: Again, if it's not your
 22 opinion, prove it.

23 RAJ: I mean, this is her -- what she's going
 24 through like on a daily basis. It's tough for her to
 25 do her daily work when you're constantly --

Colloquy

85

1 SCOTT BARNETT: Suck it up and do it. Again,
 2 don't -- if you want to know what (indiscernible), just
 3 do it, be quiet and do your work and convince people.
 4 That's what the answer is. Stop whining about it. Do
 5 your job and convince people that you're not the --
 6 that's right. Again, you don't --

7 RAJ: But the (indiscernible), you can just
 8 see what's happening, you know.

9 SCOTT BARNETT: But it doesn't matter. You -
 10 - somebody --

11 RAJ: I know it doesn't matter, but like --

12 SCOTT BARNETT: Somebody wrote this --

13 RAJ: -- if you're only one small person in a
 14 huge institution, you need to feel like is there some
 15 rules that you can, you know, follow.

16 SCOTT BARNETT: And I'm telling you the
 17 answer is in my opinion due -- all the due process
 18 rights that you were allotted to were offered to you,
 19 you took advantage of some and not others. The fact
 20 that you don't agree with the investigation that was
 21 done doesn't make you right. It doesn't make you
 22 right.

23 RAJ: That's true.

24 LEENA VARUGHESE: Well, I don't have a
 25 problem I -- you know, with the new disciplinary action

Colloquy

86

1 and that, you know, probation or -- so anyway, so I
 2 just said I have to meet with Dr. Firpo twice a week --
 3 SCOTT BARNETT: Yeah.

4 LEENA VARUGHESE: Biweekly.

5 SCOTT BARNETT: No, it's every other week.

6 LEENA VARUGHESE: Well, that's what --
 7 biweekly is what it says which --

8 SCOTT BARNETT: All right, maybe --

9 LEENA VARUGHESE: I mean --

10 SCOTT BARNETT: Biweekly is every other week.
 11 That's what it means.

12 RAJ: Bimonthly maybe.

13 LEENA VARUGHESE: Bimonthly, yeah.

14 SCOTT BARNETT: No (indiscernible) every
 15 other month.

16 RAJ: Every other month.

17 SCOTT BARNETT: Semiweekly is twice a week,
 18 okay. (Indiscernible) with every other week. That's
 19 my understanding. That's his understanding. You meet
 20 with him any more, you'd be married to him. Again,
 21 that's --

22 RAJ: Yeah, so you just be with him --

23 LEENA VARUGHESE: Okay, well, I didn't have a
 24 problem with meeting with Dr. Firpo or like discussing
 25 any of the issues.

Colloquy

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1 SCOTT BARNETT: And again, you don't have to
 2 decide whether you have a problem with it. That's --
 3 that was what was laid out for you.

4 LEENA VARUGHESE: No, I -- that's what I
 5 mean. That's why I had to go through due process to,
 6 you know, I don't want to do all these -- take these
 7 actions that's being right now in this particular
 8 probationary document. So I said, okay, that's not a
 9 problem. I can do that.

10 SCOTT BARNETT: Okay.

11 LEENA VARUGHESE: But now I'm concerned like
 12 is Dr. Firpo going to be really straight with me and
 13 fair with me and --

14 RAJ: You know, ultimately, to graduate as a
 15 resident, you need to fulfill all the (indiscernible).

16 LEENA VARUGHESE: I know. Now I'm really
 17 concerned with this --

18 SCOTT BARNETT: So my -- if you're asking me
 19 my opinion, I -- my --

20 LEENA VARUGHESE: -- if that's where it's
 21 really going to go. I don't want to be back here in
 22 like two months --

23 RAJ: If he's going to say she's not
 24 professional and then not graduate her --

25 LEENA VARUGHESE: -- I'm not professional,

Colloquy

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1 this, that --

2 SCOTT BARNETT: Adolfo --

3 LEENA VARUGHESE: You know, I can't -- I
4 don't want to like be in this predicament again.

5 RAJ: Is that even possible?

6 SCOTT BARNETT: Listen, if you're asking me
7 whether Adolfo Firpo is capable of being fair, the
8 answer is yes, I believe that.

9 LEENA VARUGHESE: You believe that, okay.

10 SCOTT BARNETT: I do believe that. If it
11 turns out he wasn't fair, you will have -- listen, if -
12 -13 LEENA VARUGHESE: I'm a little concerned
14 because I went to him and I said, you know, like you
15 said that you were going to talk to Dr. Harpaz. He's
16 like, oh, I haven't had an opportunity. I called him
17 just before I started my hemopath rotation here. I
18 called him on the phone because I hadn't heard from him
19 after I discussed with him to do the dermpath versus
20 GI. And he says, oh, you know, I have to like deal
21 with all this ACGME competencies. I have to call all
22 these people. I haven't had an opportunity yet, but,
23 you know, I will talk to Dr. Harpaz at my earlier
24 convenience. I said, okay, then he went on vacation
25 for a week. He didn't come back. Then he emailed --

Colloquy

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1 then, you know, in the meantime, I was on call on the
2 24th. I went to Dr. Harpaz and said, listen, you know,
3 like I'm supposed to be on your -- on this rotation
4 with -- you know, and I'm on GI. I'm going to be
5 working with you. But, here's the thing, I'm
6 interested in doing dermpath and I was thinking maybe I
7 can switch. And he said, okay, you know, let's see
8 like do you think, you know, there's somebody who can
9 cover? Like how is this going to work? And I said,
10 okay, let me see.11 SCOTT BARNETT: My understanding from talking
12 --13 LEENA VARUGHESE: Let me see. Let me look
14 into it. And then, you know, I was thinking of
15 emailing other residents, but I didn't because Dr.
16 Firpo was on vacation, so I wanted to run it by him.
17 And he said, oh, well, you know, I didn't have a chance
18 to like talk to Dr. Harpaz yet. And this is like last
19 week when I'm talking to him. How do I --

20 SCOTT BARNETT: (Indiscernible) disorganized.

21 LEENA VARUGHESE: He was like, how dare you
22 go -- and he's like, how dare you go above me and talk
23 to Dr. Harpaz? I said, what? Are you --

24 RAJ: That's a little strange.

25 LEENA VARUGHESE: That's a little strange.

Colloquy

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1 I'm like, why would I --

2 RAJ: That's not above him to speak to the
3 rotation, you know, that he wants her to --

4 LEENA VARUGHESE: Supervisor. And like
5 that's just like really, you know, unprofessional,
6 this, that. I was like, wait a second, it's not. It's
7 not at all. See, now I'm really concerned like --

8 SCOTT BARNETT: Let's think about it. I'm a
9 worst case scenario kind of guy.

10 LEENA VARUGHESE: This is like -- they are
11 like, you know, the psychological stressors take --

12 RAJ: And that's what --

13 SCOTT BARNETT: Well, listen --

14 LEENA VARUGHESE: You know, it's like I'm
15 willing to x but then it becomes y. I'm willing to do
16 z, then it becomes b. I'm willing to do b, then it
17 becomes like --

18 SCOTT BARNETT: Don't -- if you -- if he has
19 made it clear that he wants to know about it, run
20 everything by him even if he's on vacation. I'm sure
21 he answers email. I haven't heard back from you. I
22 know you're on vacation. I'm concerned that this
23 rotation hasn't been straightened out. One, can we
24 talk about it when you're on vacation? Two, can we
25 talk about it on Monday when you come back? In the

Colloquy

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1 interim, can I talk to Dr. Harpaz? Right? Run it by
2 him. He's the guy. He's the gatekeeper. Run it by --
3 the options by him so you know if he's the one who --
4 if he's more -- if he has a more controlling sense,
5 then it's -- I mean, again, why he chose that way, I
6 don't know, and I would -- I mean, I wouldn't have done
7 that either. I would have let do it -- try to work it
8 out, but --

9 RAJ: Exactly. It just, you know --

10 SCOTT BARNETT: But it doesn't matter. He's
11 the guy that --

12 RAJ: (Indiscernible) autonomy as a person,
13 as a physician --

14 SCOTT BARNETT: It doesn't matter. There's
15 no autonomy. You're a house officer and he's the
16 director of education. You're don't have autonomy.
17 It's not a free country. It's not a free country.
18 It's -- you're a house officer in a training program.

19 RAJ: I think you should just try and make
20 him happy, honestly.

21 SCOTT BARNETT: It's exactly right, and
22 that's what we're trying to say. Figure out with him
23 on Wednesday what's it going to take to make him happy
24 and him convinced that you are the kind of person that
25 you believe you are.

Colloquy

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1 LEENA VARUGHESE: I am, but I'm being
 2 constantly told that I am not, and I'm going to have to
 3 prove myself every --

4 SCOTT BARNETT: You have to prove yourself.
 5 You have to prove yourself. That's the way it is.
 6 Don't get -- nobody takes anything at face value.

7 LEENA VARUGHESE: But this is like, you know
 8 --

9 SCOTT BARNETT: You have to put --

10 LEENA VARUGHESE: This is like me knocking
 11 your self-esteem and telling you who you are and having
 12 you to prove to me that you're a sarcastic person and
 13 you are so and so, you are --

14 SCOTT BARNETT: I know I have self-esteem for
 15 12 people. I don't give a shit what you say about me -
 16 -

17 LEENA VARUGHESE: I know. Give me some of
 18 that then. You know what I mean?

19 SCOTT BARNETT: -- or what you say about me.

20 LEENA VARUGHESE: Give me some of that. Give
 21 me some of that self-esteem.

22 SCOTT BARNETT: You should have been born
 23 from my mother.

24 LEENA VARUGHESE: Yeah, seriously. I do the
 25 --

Colloquy

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1 SCOTT BARNETT: My father died two years ago
 2 in Israel where my family lives. We went to visit my
 3 mother. My wife hadn't seen the (indiscernible) grave.
 4 We went with my wife, my mother and my father, and we
 5 all agreed -- we're sitting there saying, you know,
 6 that my mother firmly believed that the sun rose and
 7 set over me. I was the center of the universe.

8 LEENA VARUGHESE: That's nice.

9 SCOTT BARNETT: I could do no wrong and I
 10 could say no wrong. And that's why I always --

11 LEENA VARUGHESE: That's how my mother feels
 12 about my brother, too.

13 SCOTT BARNETT: Right.

14 LEENA VARUGHESE: There's a thing about boys.

15 SCOTT BARNETT: Right.

16 LEENA VARUGHESE: So this is the other --
 17 this is the email I sent to, you know, Dr. Lento, Liz
 18 and Adrienne about, you know, my schedule and some
 19 other CP requirements a long time ago.

20 SCOTT BARNETT: Right.

21 LEENA VARUGHESE: That was very long ago.
 22 And the response I got was very, you know, sort of, we
 23 feel they're confident, da, da, da, da. So since
 24 then I've been very reluctant too much even have to
 25 discuss such issues with them because -- and I thought

Colloquy

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1 Dr. Firpo when he told me that he's the program
 2 director, I can just go directly to him and, you know,
 3 work with him.

4 SCOTT BARNETT: Well, again, for the purposes
 5 of this you can. I think that's the only person you
 6 can work with.

7 LEENA VARUGHESE: And then too --

8 RAJ: Leena, I think you just have to try to
 9 make Dr. Firpo happy and then if problems -- real
 10 problems arise, you're always here.

11 SCOTT BARNETT: Right. Again, if you're
 12 making what everybody would believe and listen, this
 13 nice man is clearly a friend of yours, you can talk
 14 about what your strategy is and you seem to -- you
 15 know, if you say, listen, that's a reasonable approach,
 16 go for it. And if -- and let's say worst case
 17 scenario. Let's say the department decides you haven't
 18 met, we're going to fire you. You still have -- you
 19 have the right to a hearing, and if that doesn't go,
 20 you have the right to another hearing, right? So --
 21 and if they're not acting professionally, they're going
 22 to get slapped. If they're not doing it the right way,
 23 people will say, well, wait a second, this woman came
 24 to you. She told you, I'm -- this is really important
 25 to me. I want to make this work. I understand that

Colloquy

95

1 you may be perceiving my actions differently, but I'm
 2 under a lot of stress and I'm telling you I want this
 3 to work. I'm anxious to make it work. I'll do
 4 everything that I can to make it work and if you -- and
 5 if that's the case and they're still being unfair,
 6 they'll have to pay the price for it because that's all
 7 you can do.

8 RAJ: That's all you can do. There's nothing
 9 --

10 SCOTT BARNETT: But you have to be explicit
 11 about it.

12 RAJ: You just have to like, you know --

13 SCOTT BARNETT: Be explicit about what you're
 14 trying to accomplish.

15 RAJ: Yeah, you just have to work on --

16 SCOTT BARNETT: You know, they
 17 (indiscernible) in there like, listen, you know, I
 18 thought I was acting in a way that was reasonable, but
 19 it's totally possible from what I understand it was
 20 still interpreted in a way that I didn't want it to be
 21 and I apologize and I --

22 LEENA VARUGHESE: I am really humble. I
 23 always act (indiscernible). You know, every time I
 24 work with a case on anyone, I never like go out of my
 25 way to outcall or overcall. Like if I have any

Colloquy

96

1 concerns, yeah, I just state that these are my, you
 2 know, concerns like --

3 RAJ: And she's had great evaluations from a
 4 lot of people, but the people that are, you know,
 5 harassing her are harassing her. So that's what --

6 SCOTT BARNETT: And the idea is is that
 7 listen, not everybody -- there are a lot of -- I guess
 8 there's somebody -- the person who is in charge was
 9 just recently charged with the institute for medical
 10 education which is the education faculty development
 11 arm of the medical school just left. Her name was Lisa
 12 Complin (phonetic). And she -- we had lunch together.
 13 I took her out for a little lunch when she left. She -
 14 - we had the same job and (indiscernible). She said,
 15 Scott, I have to admit something. The first time I met
 16 you, I thought you were such a jerk. You said
 17 something really obnoxious to somebody that I invited
 18 for ground rounds I thought was obnoxious. And she
 19 said, you know, I was completely wrong about you. She
 20 said, you can -- you are really sarcastic and sometimes
 21 you're very flip. She said, but I realize you ask
 22 those same sort of blunt questions to everybody and
 23 you're a nice guy and you mean really well and you've
 24 been a wonderful friend to me. She said, I was
 25 completely wrong about you, completely wrong about you.

Colloquy

97

1 So sometimes you -- people perceive you wrongly and
 2 they change their mind. But if you want them to change
 3 their mind, you have to sort of work with them, you
 4 know, because some people just don't get it. You have
 5 to work with them and say, okay, what is it going to
 6 take for me to convince you I'm not a total jerk? I'm
 7 a little bit of a jerk. Nobody is going to -- I mean,
 8 nobody is going to talk to me and say, Scott, you can
 9 be a jerk. I could be a jerk. I know that. You know,
 10 the question is, where is the line? Is it five percent
 11 of the time or seven percent of the time? It can't be
 12 50 percent of the time. And -- but there's a -- like I
 13 said, there's an amount of behavior I can't -- I can't
 14 be so normal because I have all this stuff floating in
 15 my head and it has to come out sometimes.

16 RAJ: Yeah.

17 SCOTT BARNETT: So you have to figure out
 18 what you're comfortable with, what you want to be
 19 constantly comfortable with, what accommodations you're
 20 going to take to the fact this is a very conservative
 21 club we're in, that there's a very strict hierarchy
 22 that people -- and you just have to find the balance.
 23 And in this particular case, once you get past this and
 24 you have to -- you're don't have to deal with these
 25 people again. You can work in a place where everybody

Colloquy

98

1 -- but for this period of your life, you have to get
 2 these people to believe in you, these people. If you
 3 can get them to do it --

4 LEENA VARUGHESE: Well, the problem is there
 5 are like completely bias against me whether or not I've
 6 tried --

7 RAJ: It doesn't matter. You have recourse
 8 in the future (indiscernible) this place. You know,
 9 you just have to like work with them.

10 SCOTT BARNETT: And again, you should believe
 11 that gray is a color. Nobody -- it's hard for me to
 12 believe that everybody in that department wants you --

13 RAJ: Not everyone but like people that --

14 SCOTT BARNETT: Some of the -- some of them.
 15 But the only person in my mind that counts is Adolfo
 16 Firpo. And I still think the man is fair and is trying
 17 to be open-minded. If you can convince him, he'll shut
 18 everybody up. He'll say, listen, I've worked with this
 19 woman. I don't care what your relationship was. I'm
 20 new here. I have -- and I'm developing a really good
 21 relationship with her and I think you've got to cut her
 22 some slack, because she's proven to me that we could
 23 have a very good relationship. So shut up, I don't
 24 want to hear about it any more. And that's why he --

25 RAJ: I think that's about all we can -- you

Colloquy

99

1 know, we can hope for, yeah. And he's the one in
 2 charge and you've just got to work with him.

3 LEENA VARUGHESE: Well, he's not a program
 4 director though.

5 RAJ: He's not but I guess --

6 SCOTT BARNETT: He outranks him.

7 RAJ: -- he's in charge.

8 SCOTT BARNETT: He out ranks him. He's one
 9 stop above the next steps in the chain. The chairman
 10 has told him, I want you to get a hold of these
 11 programs, the training issues, every single fellowship,
 12 the neuropath programs (indiscernible) as of two weeks.
 13 There are a lot of issues in that -- you know, lots of
 14 issues.

15 RAJ: And Dr. Lento has gone -- spoken with
 16 Dr. Firpo and he said Dr. Firpo spoke with Leena and
 17 said, oh, Dr. Lento told me that you had all these
 18 problems in the first year, this and that. You know,
 19 it seems, you know --

20 SCOTT BARNETT: Well, again, (indiscernible).
 21 I think that's --

22 LEENA VARUGHESE: And your folder says all
 23 these things. And I was like, like, wait a second.

24 SCOTT BARNETT: Tell her what you want. I
 25 like to look with -- according to Scott I'm allowed to

Colloquy

100

1 do that. I'd like to look at that so I understand what
 2 is in that folder. And I said that what -- as my
 3 sister would say what was was was. That's in the past.
 4 I'm not looking at the past anymore. I'm looking from
 5 this point forward to establish a relationship with you
 6 and this department that we could all be happy with,
 7 you know.

8 LEENA VARUGHESE: Yeah, you know, I couldn't
 9 make it to a meeting with Dr. Firpo last week, so I
 10 called him several times and I think he hung up the
 11 phone on me.

12 SCOTT BARNETT: He told me no. He told me --
 13 I saw -- he told me he has no idea what the source of
 14 the technical difficulties were but --

15 RAJ: He said his name and then it's --

16 LEENA VARUGHESE: Yeah, I was like, hi, it's
 17 Leena.

18 SCOTT BARNETT: He said -- I think -- we're
 19 you calling on her cell phone or something?

20 LEENA VARUGHESE: Yeah, but I was having
 21 conversations on my phone. There's no problem with my
 22 phone.

23 SCOTT BARNETT: Well, it could have been
 24 where, you know, again, there are dead spots all over.
 25 If you walk into the center portion of the --

Colloquy

101

1 LEENA VARUGHESE: No, I've had five bars. It
 2 was --

3 SCOTT BARNETT: Yeah, but it -- you may have
 4 had five bars, but he --

5 LEENA VARUGHESE: And I made five phone calls
 6 to him. I was like, oh, like, oh, I'm --

7 SCOTT BARNETT: He told me he has no idea --

8 LEENA VARUGHESE: -- fastly calling him,
 9 calling him, calling him.

10 SCOTT BARNETT: He said it was a technical
 11 problem. Listen, Leena, he's got -- he would be -- get
 12 the hang up. I mean, come on. (Indiscernible) hang up
 13 on you. You know, it doesn't make sense. I mean,
 14 that's assuming a degree of maliciousness that I don't
 15 think that most people are capable of. I don't sense
 16 it.

17 LEENA VARUGHESE: Well, I'm not capable of
 18 that, but I know people are.

19 SCOTT BARNETT: Well, I don't believe --

20 LEENA VARUGHESE: So that's -- I mean, that's
 21 been my experience here.

22 SCOTT BARNETT: I would encourage you not to
 23 believe that of him.

24 LEENA VARUGHESE: That's been my experience
 25 here.

Colloquy

102

1 SCOTT BARNETT: Well, again, he's not
 2 (indiscernible). He's Strauchen. He's not Alan
 3 Schiller. He's Adolfo Firpo.

4 LEENA VARUGHESE: Well, I've -- you know,
 5 aside from the whole, you know, the chemistry issue,
 6 I've never had any problems with Dr. Strauchen, so --

7 SCOTT BARNETT: I had problems with him.
 8 That's all that counts.

9 LEENA VARUGHESE: Yeah, that's different.
 10 That's not my -- you know, that's not an issue for me.

11 SCOTT BARNETT: He was a pain in my ass.

12 LEENA VARUGHESE: And, you know, I almost
 13 feel bad about like saying that, oh, you know, he
 14 wasn't letting me do immuno chemistry, because
 15 otherwise he's been completely reasonable.

16 SCOTT BARNETT: Yeah, but from an
 17 administrative point of view, we couldn't get any stuff
 18 out of him. He never answered his emails. He never
 19 responded to anything. So I've got a job to do. The
 20 program director is not allowing me to do my job,
 21 they've got to get their head cut off. That's just the
 22 way it goes.

23 LEENA VARUGHESE: But he knew the rules and -

24 -

25 SCOTT BARNETT: Yeah, that's okay.

Colloquy

103

1 LEENA VARUGHESE: -- and like, you know, he
 2 was always professional. He never --

3 SCOTT BARNETT: You do know this, that both
 4 the program director and the department chairman no --
 5 in that department no longer exist?

6 LEENA VARUGHESE: What?

7 SCOTT BARNETT: The program director and the
 8 department chairman in that department no longer have
 9 their jobs? You notice that --

10 RAJ: Well, the program director is --

11 SCOTT BARNETT: The program --

12 RAJ: Oh, the former program director.

13 SCOTT BARNETT: And the former chairman --

14 RAJ: Chairman, right.

15 SCOTT BARNETT: -- who was fired from his
 16 job.

17 LEENA VARUGHESE: I'm sorry, but that's --

18 SCOTT BARNETT: He was fired from his job by
 19 the dean, because you're the only pathology department
 20 on the planet that loses money and you were
 21 hemorrhaging money.

22 LEENA VARUGHESE: Oh, see, that's the other
 23 issue that the hospital has with him. I mean, it has
 24 nothing to do with me.

25 SCOTT BARNETT: It has a lot to do with you,

Colloquy

104

1 because it doesn't matter whether he was the best
 2 chairman in terms of education in the world. If he's
 3 not doing his job, people that don't do your job, you
 4 get --

5 LEENA VARUGHESE: Well, when I started, I was
 6 told that there's a \$5 million surplus in the
 7 department and, you know, there's a -- you know,
 8 there's a lot of reason --

9 SCOTT BARNETT: Well, it went away.

10 LEENA VARUGHESE: There's a lot of reason to
 11 come to this program. It's the best program in the
 12 country. We have the most amount of specimens.

13 SCOTT BARNETT: Well, it might have been in -

14 -

15 LEENA VARUGHESE: We have the best teachers.
 16 We have the best pathologists.

17 SCOTT BARNETT: That's just a slight
 18 overstatement.

19 LEENA VARUGHESE: Da, da, da, da, da, da, da,
 20 da, da.

21 SCOTT BARNETT: Yes, it wasn't exactly truth
 22 in advertising.

23 LEENA VARUGHESE: Well, that's what we were
 24 all led to believe.

25 SCOTT BARNETT: Right, and I'm --

Colloquy

105

1 LEENA VARUGHESE: So that's why we all came
 2 here. And we thought it wasn't -- you know, you knew
 3 like it was going to be a tough four years, but I
 4 didn't realize it was going to be like--

5 SCOTT BARNETT: And you know what's going to
 6 happen? Long after you're gone, that's what it's going
 7 to be --

8 LEENA VARUGHESE: -- to the point where I
 9 just really --

10 SCOTT BARNETT: -- because there are new
 11 sheriffs in town. It's going to be better. We're
 12 going to make it better. The bottom dropped out of
 13 that program and the department. The bottom dropped
 14 out. The problem went -- the program went from a five-
 15 year no citation to probation, and I don't think we're
 16 going to be able to undue it. It just turned into a
 17 zoo.

18 LEENA VARUGHESE: Oh, God, I don't want to
 19 know.

20 SCOTT BARNETT: It just turned into a circus.
 21 (Indiscernible) a little bit and --

22 LEENA VARUGHESE: Yeah, and people assume
 23 that I'm the bad guy in all of this. And I haven't
 24 done anything but be helpful to the program.

25 SCOTT BARNETT: Leena, you're the only person

Colloquy

106

1 --
 2 LEENA VARUGHESE: I never (indiscernible) --
 3 SCOTT BARNETT: -- among the 22 current
 4 trainees that is --
 5 LEENA VARUGHESE: But, listen, I've never
 6 been to ACGME. I never made any official complaint.
 7 There is stuff out there about the program that's
 8 really terrible.
 9 SCOTT BARNETT: Leena, you can do whatever
 10 you think. That's up to you.
 11 LEENA VARUGHESE: But I'm not -- like that's
 12 not just not me. Like, you know, I have a professional
 13 --
 14 RAJ: You're entitled to do what you have to
 15 do.
 16 LEENA VARUGHESE: I have a professional
 17 attitude and like --
 18 SCOTT BARNETT: Right.
 19 LEENA VARUGHESE: -- you know, I have sense
 20 of loyalty. And there's a rank here and I'm not going
 21 to overstep that and do anything that's detrimental.
 22 That's who I am.
 23 SCOTT BARNETT: Okay.
 24 LEENA VARUGHESE: And that's where I come
 25 from. So like --

Colloquy

107

1 SCOTT BARNETT: Okay. So if it takes --
 2 LEENA VARUGHESE: -- to be told that I'm not
 3 doing --
 4 SCOTT BARNETT: So, again, you have to --
 5 RAJ: She is being a scapegoat a little bit
 6 with all of this but --
 7 LEENA VARUGHESE: Yeah.
 8 SCOTT BARNETT: Even if it's --
 9 LEENA VARUGHESE: And that's what Dr. Preston
 10 (phonetic) said, too.
 11 SCOTT BARNETT: Again, it's not totally the
 12 case and it's not -- it maybe partially the case --
 13 LEENA VARUGHESE: It is partially the case.
 14 That's a lot of the problem, too.
 15 SCOTT BARNETT: But again, the solution is --
 16 LEENA VARUGHESE: Well, you need somebody who
 17 is like, you know, not perfect, somebody like me as a
 18 scapegoat because then you know it can be validated or
 19 it can be, okay, if she is --
 20 SCOTT BARNETT: If I felt that this was
 21 completely off the wall crazy --
 22 LEENA VARUGHESE: You know, that's how I
 23 feel.
 24 SCOTT BARNETT: -- I would have put a stop to
 25 it already. You have my word on it. It wouldn't be

Colloquy

108

1 the first time. It won't be the last time. Again,
 2 from what I know, there's -- this is a gray situation,
 3 some of what you said --

4 LEENA VARUGHESE: That's why -- I know.

5 SCOTT BARNETT: So you have to deal with it,
 6 right? If it was all black and white and they screwed
 7 some completely, we wouldn't be having this
 8 conversation. I would have put an end to it. There's
 9 somewhere in between they suck and you suck is the
 10 answer. That's somewhere in the middle now. There's a
 11 little bit of blame to go around and your job as Raj
 12 said is to get -- is to work with Adolfo to get this
 13 done and graduate (indiscernible). And Wednesday you
 14 start, send an email that says like, you know, if you
 15 still wanted to see your file, establish the ground
 16 rules with Adolfo. And if you feel like the department
 17 is being completely unreasonable and they're not being
 18 -- you get back to me and --

19 LEENA VARUGHESE: See, that's why I always
 20 appeal to you. Even if I feel like, you know, I don't
 21 think you're, you know -- I think you're a fair person.

22 SCOTT BARNETT: I hope so.

23 LEENA VARUGHESE: And I know like you do your
 24 best no matter what. So even if I feel like
 25 (indiscernible) take my side or what not, I always

Colloquy

109

1 appeal to you or, you know, I email you and Mr. Johnson
 2 (phonetic) or --

3 SCOTT BARNETT: (Indiscernible).

4 LEENA VARUGHESE: Because I feel like, you
 5 know, that's what I do. That's the hierarchy.

6 SCOTT BARNETT: Well, that's my job. That's
 7 what I get paid to do.

8 LEENA VARUGHESE: That's the hierarchy.
 9 That's how I approach things.

10 SCOTT BARNETT: Right, and I --

11 LEENA VARUGHESE: I don't like to step out of
 12 line. I don't want like --

13 SCOTT BARNETT: No, we appreciate that.

14 LEENA VARUGHESE: But that's just me. I just
 15 don't want that to be more fodder for --

16 SCOTT BARNETT: No, no, it's not, and anybody
 17 who would use your approaching me or Paul and there
 18 would be retribution, it would be unfair. You're
 19 supposed to be able to talk to me or Stimmel or Paul or
 20 your rep on the house staff council. There are
 21 mechanisms and we want to use them. And it is my -- my
 22 job is not just to make the trains on time like
 23 Mussolini did. You know, that's what everybody said
 24 about Mussolini. He was a good guy because the trains
 25 ran on time. The fact that he was a fascist and, you

Colloquy

110

1 know, he was killing people, -- right. So the idea is
 2 --

3 LEENA VARUGHESE: Sorry, sorry. That's a
 4 little --

5 SCOTT BARNETT: -- my job is to make sure all
 6 the i's are dotted and the t's are crossed but that
 7 people -- that the institution is treating people
 8 fairly and accordingly. I try my best to make sure
 9 that (indiscernible) to make sure every opportunity you
 10 have to graduate and do the right thing and get this
 11 done. So let's go forward with this --

12 RAJ: I think that's all she's asking for and
 13 that's --

14 SCOTT BARNETT: Okay, and I'm committed to
 15 it. But there's an important bunch of people that are
 16 over me that also have to be convinced. I can't say --
 17 oh, I talked to Leena, you know, this is over. I can't
 18 do that. That's stepping out of bounds.

19 RAJ: Of course.

20 SCOTT BARNETT: And that's not the way the
 21 institution works. I think -- I certainly want and
 22 respect them to also believe that gray is a color to
 23 give you every possible opportunity to make this right
 24 and if -- and to treat you fairly. And if they're not,
 25 they'll be held accountable. So let's see where we go.

Colloquy

111

1 Sound good?

2 RAJ: That sounds fair.

3 LEENA VARUGHESE: Okay.

4 SCOTT BARNETT: Okay. (Indiscernible).

5 RAJ: Yeah, yeah.

6 SCOTT BARNETT: (Indiscernible) the run?

7 RAJ: That's the run. With my director
 8 there?

9 SCOTT BARNETT: Yeah, that's cool. Some of
 10 my former (indiscernible). It's a good place, take
 11 care.

12 RAJ: All right, thanks.

13 SCOTT BARNETT: Good luck with things.

14 * * * * *

15

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C E R T I F I C A T I O N

I, CARLA OAKLEY, the assigned transcriber, do hereby certify the foregoing transcript of proceedings on compact disk, playback numbers 13:03:58 to 15:01:41, is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate compressed transcript of the proceedings as recorded, and to the best of my ability.

/s/ Carla Oakley

Date: May 12, 2014

CARLA OAKLEY AOC#479

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Exhibit 224

>> ----- Original Message -----
>> From: "Jordan, Adrienne" <adrienne.jordan@mountsinai.org>
>> Date: Monday, September 12, 2011 3:20 pm
>> Subject: Please Respond
>> To: "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>,
>> "Firpo,Adolfo (MSSM)" <adolfo.firpo@mssm.edu>, "Lento, Patrick"
>> <Patrick.Lento@mountsinai.org>, "Morency, Elizabeth (MSSM-Imail)"
>> <elizabeth.morency@mssm.edu>
>>
>>> Dr. Varughese,
>>>
>>>
>>>
>>> Dr. Morency and I have e-mailed you several times about the
>> following> two issues yet you have failed to respond. Please
>> respond
>> immediately.
>>
>>
>> 1. What is your topic for Wednesday conference? I now, in addition
>> to residents asking, have attendings asking as well. We must
>> have
>> thisinformation today.
>> 2. Have you asked Jonathan Yao about switching your GI month? I
>> need to finalize schedules today. Additionally, if Dr. Yao was
>> unable> to switch with you, did you want me to switch one of your M-
>> VA months
>> for Hematology as I suggested in an earlier e-mail?
>>
>>
>>
>>> Please respond to these two points immediately. Thank you for your
>> time.
>>
>>
>>
>>> Adrienne Jordan, M.D.
>>
>>> The Mount Sinai Hospital
>>
>>> Department of Pathology - Box 1194
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>>> One Gustave L. Levy Place
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>>> New York, NY 10029
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>>> Pager (917) 401-5341
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>>> Cell (330) 327-7339
>>
>>
>>
>>

On Sep 12, 2011, at 6:56 PM, "leena varughese" <leena.varughese@mssm.edu> wrote:

> It's going to be review on grossing of several different types of specimens of interest to me and gross pictures of common malignancies.... this is the lecture I am interested in presenting.

>

> ----- Original Message -----

> From: "Jordan, Adrienne" <adrienne.jordan@mountsinai.org>

> Date: Monday, September 12, 2011 6:33 pm

> Subject: RE: Please Respond

> To: "Varughese, Leena (MSSM-Imail)" <leena.varughese@mssm.edu>

> Cc: "Morency, Elizabeth (MSSM-Imail)" <elizabeth.morency@mssm.edu>, "Firpo, Adolfo (MSSM)" <adolfo.firpo@mssm.edu>, "Lento, Patrick" <Patrick.Lento@mountsinai.org>

>

>> Dr. Varughese,

>>

>> That is not an appropriate lecture topic. We have had 8 grossing
>> lectures already where this topic was discussed in great detail.
>> Additionally, the attendings are covering this during their normal
>> histology lectures. Lastly, the policy states that you must give a
>> lecture on a topic that you missed. I have taken the liberty of
>> lookingat your absences and these are areas that you missed:

>> Cytology GYN

>> infections, Cytology GYN dysplasia, Normal GU histology, Acid-Base
>> Chemistry, and Cytology Squamous Cell Carcinoma. Additionally you
>> missed several Autopsy conferences. Several suggestions for topics I
>> have for you are: an interesting cytology case in one of the above
>> mentioned topics, board review of clinical chemistry questions, or
>> follow up of an interesting autopsy case with a good work up,
>> differential diagnosis, etc. I am sorry that you have to create
>> anotherpresentation, but this is why Dr. Morency and I asked you
>> several weeks

>> ago for your topic. Please respond ASAP with what your topic will be.

>>

>> Adrienne Jordan, M.D.

>> The Mount Sinai Hospital

>> Department of Pathology - Box 1194

>> One Gustave L. Levy Place

>> New York, NY 10029

>>

>> Pager (917) 401-5341

>> Cell (330) 327-7339

>>

>>

Exhibit 225

<u>Leena Varughese</u>		<u>Bronz-VA-surgical pathology rotation</u>	<u>8/15/2011 - 8/26/2011</u>
<u>Arrived</u>	<u>Left</u>	<u>Conference</u>	<u>8/15/2011 - 8/26/2011</u>
8/15/2011	10 AM	6 ⁴⁵ pm	Dermatology flu c Dr. Shey 5 ²⁰ -6 ³⁰ pm
8/16/2011	10 ⁴⁵ AM	6 ⁴⁵	CP conference didactic 8-9 AM CP call conference 9-10 AM
8/17/2011	9 ³⁰ AM	6 ³⁰ pm	Cytology conference 8-9 AM 12 - Brief didactic c Dr. Leng
8/18/2011	9 ³⁰ AM	6 pm	<u>Surgical pathology</u> flu <u>conference</u> 8-9 AM 1-2 pm - Tumor Board
8/19/2011	9 ³⁰ AM	7 pm	<u>Autopsy</u> flu conference 8-9 AM
8/22/2011	9 ³⁰ AM	6 ⁴⁵ pm	Derm clinical rev. 8/10 @ 5 pm
8/23/2011	9 ³⁰ AM	5 ³⁰ pm	CP conference
8/24/2011	9 ³⁰ AM	5 ¹⁵ pm	Cytology conference AP/CP/Autopsy cell
8/25/2011	9 ³⁰ AM	7 pm	<u>Surgical pathology</u> 8-9 AM 1-2 pm Tumor Board
8/26/2011	9 ³⁰ AM	5 ³⁰ pm	<u>Autopsy</u> conference

Exhibit 226

Exhibit 227

From

"Jordan, Adrienne" <adrienne.jordan@mountsinai.org>

Sent

Friday, September 9, 2011 1:03 pm

To

"Ramanathan, Lakshmi" <lakshmi.ramanathan@mountsinai.org>, "Schiller, Alan" <IMCEAEX-O=MSNYUHEALTH OU=FIRST+20ADMINISTRATIVE+20GROUP CN=RECIPIENTS CN=Aschil01@m Mountsinai.org>, "Szpon, Arnold" <Arnold.Szpon@m Mountsinai.org>, "Eliasen, Carol" <Carol.Eliasen@m Mountsinai.org>, pathologyresidents@mssm.edu, "Firpo, Adolfo (MSSM)" <adolfo.firpo@mssm.edu>, "Lento, Patrick" <Patrick.Lento@m Mountsinai.org>

Subject

[Pathologyresidents] Weekly Schedule 9/12-9/16

*****If you are an attending receiving this message, you are scheduled for a lecture or unknown conference.

MONDAY

Sept 12, 2011

8:00 – 9:00

GYN Pathology – Dr. Eliasen

Annenberg Conference Rm. 16-02

3:00

Liver Review

Multi-headed Scope Room 15-239

4:00

GI Review – Dr. Harpaz

GI Pathology Suite Room 15-38

AP Resident/Fellow on Call: Dr. Klapper

CP Resident/Fellow on Call: Dr. Kazi

Autopsy Resident on Call: Dr. Kazi

TUESDAY

Sept 13, 2011

8:00 -- 9:00

Therapeutic Drug Monitoring – Dr. Ramanathan

East Building 8th Floor Conference Room

AP- Breast Teaching Conference, Dubin Breast Center

9:00 – 10:00

CP Case Conference

East Building 8th Floor Conference Room

11:30 – 12:00

Gross Show - Dr. Dikman

Gross Room

2:00

Renal Pathology Conference - Dr. Dikman

Multi-headed Scope Room 15-239

3:00

Liver Review

Multi-headed Scope Room 15-239

4:00

GI Review – Dr. Harpaz

GI Pathology Suite Room 15-38

AP Resident/Fellow on Call: Dr. Kadire

CP Resident/Fellow on Call: Dr. Roman

Autopsy Resident on Call: Dr. Roman

WEDNESDAY

Sept 14, 2011

8:00 – 9:00

Case Presentation – Dr. Varughese

Annenberg Conference Rm. 16-02

12:00 – 12:30

Unknown Session - Dr. Szporn

Multi-headed Scope Room 15-239

3:00

Liver Review

Multi-headed Scope Room 15-239

4:00

GI Review – Dr. Harpaz

GI Pathology Suite Room 15-38

AP Resident/Fellow on Call: Dr. Zhang

CP Resident/Fellow on Call: Dr. Azar

Autopsy Resident on Call: Dr. Azar

THURSDAY

Sept 15, 2011

8:00 – 9:00

Interesting Case Presentations -- Dr. Guarino and Dr. Klapper

Annenberg Conference Rm. 16-02

10:30

Brain Cutting- Dr. Fowkes

Autopsy Suite, MC level

3:00

Liver Review

Multi-headed Scope Room 15-239

4:00

GI Review – Dr. Harpaz

GI Pathology Suite Room 15-38

AP Resident/Fellow on Call: Dr. Suarez

CP Resident/Fellow on Call: Dr. Chow

Autopsy Resident on Call: Dr. Chow

FRIDAY

Sept 16, 2011

8:00 – 9:00

Autopsy Case Conference - Dr. Schiller

Autopsy Suite, MC level

12:00 - 1:00

Clinical Chemistry Practice questions - Dr. Ramanathan

East Building 8th Floor Conference Room

3:00

Liver Review

Multi-headed Scope Room 15-239

AP Resident/Fellow on Call: Dr. Suarez

CP Resident/Fellow on Call: Dr. Azar

Autopsy Resident on Call: Dr. Azar

Adrienne Jordan, M.D.

The Mount Sinai Hospital

Department of Pathology - Box 1194

One Gustave L. Levy Place

New York, NY 10029

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From: pathologyresidents-bounces@mssm.edu on behalf of Jordan, Adrienne [adrienne.jordan@mountsinai.org]
Sent: Monday, September 19, 2011 8:38 AM
To: pathologyresidents@mssm.edu
Subject: Re: [Pathologyresidents] Weekly Memo 9/12-9/16
Attachments: Friday 12pm Lecture.xls; Thursday 8am Lecture.xls; ATT3165385.txt

I forgot to attach the schedules that I said I would. These files are password protected so that only the chief residents can edit them, but you can open them as a read only document.

I also forgot to list the vacations for the week of 9/19:

Jeremy Klapper
Sorin Selegean
Alicia Martinez
Sofia Kazi

Adrienne Jordan, M.D.
The Mount Sinai Hospital
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-----Original Message-----

From: pathologyresidents-bounces@mssm.edu [mailto:pathologyresidents-bounces@mssm.edu] **On Behalf Of** Jordan, Adrienne
Sent: Friday, September 16, 2011 3:52 PM
To: pathologyresidents@mssm.edu
Subject: [Pathologyresidents] Weekly Memo 9/12-9/16

Resident Issues:

1. Please log your duty hours.
2. Some people have stated that they did not receive the initial e-mail stating when they were scheduled to give a Thursday morning or Friday noon time lecture. I have attached the schedules for you to review. They are also on the G drive under chief resident files. These files are password protected but can be opened as a read only.
3. Don't forget Dr. Cordon-Cardo's convocation is this Tuesday at 5pm. We all should make every effort to attend.
4. Please sign the card for Dr. Nagi. It is on Bob Guarino's desk.
5. Don't forget Elizabeth needs all of your publications and abstracts since you started residency. Please get those to her ASAP.
6. Everyone who is onsite and is able to should come to the resident meeting on Friday.
7. As most of you know who have the United Health Care insurance through Mount Sinai, we are supposed to fill out a yearly health survey in order to receive a discount on our insurance. In years past we have been able to leave certain sections blank (ie. cholesterol, BP, etc). From my



conversations with HR this week, we will not be able to leave those sections blank this year. Mount Sinai is holding a Health Fair every Monday and Wednesday from 8-10 am in Guggenheim Pavilion. During this fair you can get your blood pressure and cholesterol checked. To make this easier for everyone, we will end lecture on September 26 at 8:30 am so people who need to can go to the health fair and get their cholesterol checked so they can fill out the health survey. I know this seems obvious, but remember to have an empty stomach.

Surgical Issues:

1. Roma is out sick for the time being. We do not know when she will return. Please let Liz and I know if a moonlighter is needed as early in the day as possible.
2. Luiba is on vacation from September 16-September 30
3. Everything else was pretty much said in the mid-weekly memo

Adrienne Jordan, M.D.
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THURSDAY 8AM LECTURES, 2011-2012

Date	Lecturer	Topic
7/7/2011	Jordan	Gross Lecture
7/14/2011	Hechtman	Gross Lecture
7/21/2011	Grunes	Gross Lecture
7/28/2011		RESIDENT MEETING
8/4/2011	Azar	Gross Lecture
8/11/2011	Martinez	Gross Lecture
8/18/2011	Chepovetsky, Fender	Interesting Case
8/25/2011	Blouin, Ko	Interesting Case
9/1/2011		
9/8/2011	Azar	Senior Unknowns
9/15/2011	Guarino, Klapper	Interesting Case
9/22/2011	Grunes, Smethurst	Interesting Case
9/29/2011	Jordan	How to Give a Presentation
10/6/2011	Morency	Senior Unknowns
10/13/2011	Schubbeck, Yao	Interesting Case
10/20/2011	Guarino, Zhang	Interesting Case
10/27/2011		
11/3/2011	Varughese	Senior Unknowns
11/10/2011	Khachaturov, Kadire	Interesting Case
11/17/2011	Suarez, Prera	Interesting Case
11/24/2011		THANKSGIVING (NO CONFERENCE)
12/1/2011	Roman	Senior Unknowns
12/8/2011	Jordan, Jacob	Interesting Case
12/15/2011	Zhang, Groh	Interesting Case
12/22/2011	Kalir	Cervical neoplasms
12/29/2011		
1/5/2012	Eliasen	Uterine neoplasms
1/12/2012	Rosario, Blowe	Interesting Case
1/19/2012	Martinez	Senior Unknowns
1/26/2012	Chow	Senior Unknowns
2/2/2012	Ciomek, Schubbeck	Interesting Case
2/9/2012	Blouin, Hechtman	Interesting Case
2/16/2012	Azar	Senior Unknowns
2/23/2012	Grunes, Klapper	Interesting Case
3/1/2012	Li, Smehurst	Interesting Case
3/8/2012	Jordan	Senior Unknowns
3/15/2012	Beasley	Uncommon Pulmonary Tumors
3/22/2012		NO CONFERENCE (USCAP)
3/29/2012	Beasley	COPD/Obstructive Diseases
4/5/2012	Beasley	Interstitial Diseases Part 2
4/12/2012	Fender, Kazi	Interesting Case
4/19/2012	Hechtman	Senior Unknowns
4/26/2012	Rosario, Kadire	Interesting Case
5/3/2012	Jacob, Zhang	Interesting Case
5/10/2012		
5/17/2012	Chepovetsky	Senior Unknowns
5/24/2012	Groh, Blowe	Interesting Case
5/31/2012	Suarez, Chepovetsky	Interesting Case
6/7/2012	Yao, Ko	Interesting Case
6/14/2012	Kazi	Senior Unknowns
6/21/2012	Prera, Ciomek	Interesting Case
6/28/2012	Li, Khachaturov	Interesting Case

WEEK	TOPIC	LECTURE	ATTENDING
7/7/08	BASIC PATHOLOGY	Cardiovascular	Fallon
7/14/08		GI	Harpaz
7/21/08		Liver	Fiel
7/28/08		Gyn	Eliassen
8/4/08		Derm	Emanuel
8/11/08		Head and Neck	Rivera
8/18/08		Bone and Soft tissue	Garcia
8/25/08		Pulmonary	Beasley
9/1/08		<<LABOR DAY>>	
9/8/08		Genitourinary	Xiao
9/15/08		Breast	Jaffer/Nagi
9/22/08		Pediatric	Magid
9/29/08		Neuro	Fowkes
10/6/08	CARDIOVASCULAR	Ischemic Disease	Fallon
10/13/08		Valvular Disease	Fallon
10/20/08		Cardiomyopathies	Fallon
10/27/08		Vasculitides	Fallon
11/3/08		Congenital Disease	Magid
11/10/08	GASTROINTESTINAL	Esophagus/Stomach	Harpaz
11/17/08		Infection/Inflammatory	Harpaz
11/24/08		Colonic neoplasms	Harpaz
12/1/08	LIVER	Hepatitis	Thung
12/8/08		Liver neoplasms	Fiel
12/15/08	GYN	Cervical neoplasms	Kalir
12/22/08		Endometrial neoplasms	Schlosshauer
12/29/08		Ovarian neoplasms	Deligdisch
1/5/09	PEDIATRIC	Common Pediatric Tumors	Morotti
1/12/09	ORAL PATHOLOGY	Neoplasms	Fahmy
1/19/09		<< MARTIN LUTHER KING >>	
1/26/09	HEAD AND NECK	Salivary Glands	Rivera
2/2/09		Thyroid and Parathyroid	Rivera
2/9/09	BONE AND SOFT TISSUE	Bone Tumors Part I	Garcia
2/16/09		<< PRESIDENT'S DAY >>	
2/23/09		Bone Tumors Part II	Garcia
3/2/09		Bone Tumors Part III	Garcia
3/9/09	HEME/LYMPH	Lymphoma	Strauchen
3/16/09		Pituitary Neoplasms	Kleinman
3/23/09	PULMONARY	COPD	Beasley
3/30/09		Neoplasms	Beasley
4/6/09	NEUROPATHOLOGY	Infectious Pathology	Fowkes
4/13/09		Degenerative Diseases	Fowkes
4/20/09		CNS Neoplasms	Fowkes
4/27/09		Bone Marrow Pathology	Petersen
5/4/09	BREAST	Benign Lesions	Jaffer/Nagi
5/11/09		Neoplasms	Jaffer/Nagi
5/18/09	GENITOURINARY	Testicular neoplasms	Xiao
5/25/09		<< MEMORIAL DAY >>	
6/1/09		Non-neoplastic Kidney Disease	Dikman
6/8/09		Kidney neoplasms	Xiao
6/15/09		Prostate & Bladder neoplasms	Xiao
6/22/09	DERM	Carcinomas of Skin	Phelps
6/29/09		Melanoma	Phelps

WEEK	TOPIC	LECTURE	ATTENDING
7/6/09	BASIC PATHOLOGY	Cardiovascular	Fallon
7/13/09		GI	Harpaz
7/20/09		Liver	Fiel
7/27/09		Gyn	Eliasen
8/3/09		Dermatopathology	Emanuel
8/10/09		Head and Neck	Rivera
8/17/09		Genitourinary	Xiao
8/24/09		Bone and Soft tissue	Garcia
8/31/09		Pulmonary	Beasley
9/7/09	<<LABOR DAY>>		
9/14/09		Breast	Jaffer/Nagi
9/21/09		Oral pathology	Lumerman
9/28/09	FORENSIC	Death Certification	Scordi-Bello
10/5/09	CARDIOVASCULAR	Cardiomyopathies & Valvular Disease	Fallon
10/12/09		Ischemic & Vasculitides	Fallon
10/19/09	GASTROINTESTINAL	Pancreatic Neoplasms	Zhu
10/26/09		Colon polyps	Ward
11/2/09		Colitis	Qin
11/9/09		Colon Cancer	Polydorides
11/16/09		Gastric diseases	Yuan
11/23/09	LIVER	Hepatitis	Thung
11/30/09		Liver neoplasms	Fiel
12/7/09	GYN	Cervical neoplasms	Kalir
12/14/09		Endometrial neoplasms	Schlosshauer
12/21/09		Ovarian neoplasms	Deligdisch
12/28/09	PEDIATRIC	Common Pediatric Tumors	Morotti
1/4/10	NEUROPATHOLOGY	Neuropathology	Fowkes
1/11/10	ORAL PATHOLOGY	Neoplasms	Fahmy
1/18/10	<< MARTIN LUTHER KING >>		
1/25/10	HEAD AND NECK	Salivary Glands	Rivera
2/1/10		Thyroid and Parathyroid	Rivera
2/8/10	BONE AND SOFT TISSUE	Bone Tumors Part I	Garcia
2/15/10	<< PRESIDENT'S DAY >>		
2/22/10		Bone Tumors Part II	Garcia
3/1/10		Bone Tumors Part III	Garcia
3/8/10	PULMONARY	COPD	Beasley
3/15/10		Neoplasms	Beasley
3/22/10	HEME/LYMPH	Lymphoma	Petersen
3/29/10		Bone Marrow Pathology	Petersen
4/5/10	NEUROPATHOLOGY	Infectious Pathology	Fowkes
4/12/10		Degenerative Diseases	Fowkes
4/19/10		CNS Neoplasms	Fowkes
4/26/10		Pituitary Neoplasms	Kleinman
5/3/10	BREAST	Benign Lesions	Jaffer/Nagi
5/10/10		Neoplasms	Jaffer/Nagi
5/17/10	GENITOURINARY	Non-neoplastic Kidney Disease	Dikman
5/24/10		Kidney neoplasms	Xiao
5/31/10	<< MEMORIAL DAY >>		
6/7/10		Testicular neoplasms	Xiao
6/14/10		Prostate & Bladder neoplasms	Xiao
6/21/10	DERM	Inflammatory Diseases	Phelps
6/28/10		Skin Neoplasms	Phelps